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NOTES AND NEWS.

A MEETING of the Court of Governors of the University of Manchester was held on the 17th of May, THE UNIVERSITY OF MANCHESTER, presided over by the Vice-Chancellor (Sir John Stopford), when it was decided to change the title of the Faculty of Commerce and Administration to that of the "Faculty of Economic and Social Studies."

The Vice-Chancellor referred to the very severe loss that the University, and far more than the University, had sustained by the deaths of Sir Christopher Needham and Mr. W. P. Crozier. Sir Christopher, he said, had a unique connection with the University which, he thought it fair to say, was in late years his predominant interest. "It is impossible for me to attempt to measure the contribution which he made. It is quite outstanding, and I venture to think the University historians of the future will place Needham along with Thomas Ashton, Donner and Worthington, to mention only some of those who have done so much for this place and have passed on."

Mr. Crozier became a member of that body much more recently. During the ten or eleven years he was a member of the Council, in "that characteristic, unassuming, modest, and skilful way" he did most valuable work. Sir John referred in particular to the "masterly way" in which Mr. Crozier reorganised the athletic facilities in the University. His sudden death was a very great blow. "We mourn the loss of a really great man, a scholar, and a loved colleague."

Turning to his report, Sir John said that it had become clear that after five years of war, and the second war in one generation, the greatest difficulty for some time would be shortage of

adequately trained personnel, both teaching and technical staff. There would be many vacancies and few people to fill them. Their most urgent duty was to select with the utmost care and then give the fullest and best opportunities to those recruited for teaching and research. They would need not only to fill existing vacancies but improve as quickly as possible the staff-student ratio. To find these recruits and give them opportunities a greater provision of post-graduate scholarships and Fellowships would be necessary, more generous grants for research, as well as an extension of library facilities and improved equipment.

Sir John Stopford also spoke of the need for more halls of residence, without which a civic university could not make its full and complete contribution. Here Sir John announced "a most opportune and welcome gift." The University had just accepted with great pleasure and gratitude the house known as Holly Royde, Palatine Road, given in memory of Mr. and Mrs. Gustav Behrens, whose family had resided there for fifty years.

Another amenity for students they desired to introduce as quickly as possible was an advisory health service and medical inspection.

Sir John also announced an anonymous gift of shares of the nominal value of £20,000 (of which the income last year exceeded £3,000) had been received. It was made unconditionally, but with the wish that it should be used to promote research and teaching in sociology, social psychology, economics, political science and philosophy, public administration, jurisprudence and education. A wish was expressed that a considerable part of the income should be used for senior Fellowships to set free for research and writing men and women of mature years.

"It is believed," said Sir John, "that these Fellowships will attract scholars to Manchester from overseas as well as parts of this country. I regard this gift as one of the most important we have received for a long time."

Under the will of Miss Edith Hamer, of Ashton-under-Lyne, they had received approximately £20,000, the income to be applied in the award of scholarships in whatever branch of study determined by the Council. He ventured to suggest that it would be applied to post-graduate scholarships in Arts.

Mr. and Mrs. Denis Pilkington had offered £14,000 to found a fellowship in memory of their daughter, to be known as the Sybil Mary Fellowship, for research into diseases of the blood. Sir John described this gift as particularly gratifying in view of the original work done in the last ten years in the laboratory for clinical investigation and research.

Other gifts included £3,000 for five years from the Nuffield Provincial Hospitals Trust to the Department of Neurology, and £2,500 from the Government through the Wireless Personnel Committee to organise a laboratory for training in high vacuum technique.

There was a distinguished congregation in the Whitworth Hall in the afternoon for the conferment of honorary degrees in commemoration of Founders' Day.

The honorary graduands were presented by Professor T. W. Manson to the Vice-Chancellor by whom the following degrees were conferred

DOCTOR OF LAWS :

The Archbishop of York (Dr. Cyril Forster GARBETT, P.C.).

Sir Percival Edward MEADON (Director of Education for the County of Lancashire).

Sir Ernest SIMON (Chairman of the Manchester University Council, and a former Lord Mayor of Manchester).

DOCTOR OF LETTERS :

Dr. John Lawrence HAMMOND, F.B.A.

Dr. Frank Merry STENTON, F.B.A. (Professor of Modern History and Deputy Vice-Chancellor of the University of Reading).

DOCTOR OF SCIENCE :

Sir William Lawrence BRAGG, F.R.S. (Professor of Physics in the University of Manchester, 1919-1937, now Cavendish Professor of Experimental Physics in the University of Cambridge.)

Dr. Edmund Taylor WHITTAKER, F.R.S. (Professor of Mathematics in the University of Edinburgh).

In acknowledging the honours conferred upon them and their fellow-graduates, the ARCHBISHOP OF YORK said he was glad to be given a law degree. A bishop was often criticised for his failure to administer and enforce Church law. "But," he went on to say, "a bishop's difficulties are very great. The law of worship was drawn up nearly three hundred years ago and remains substantially unchanged; the authority of the canons, the ecclesiastical laws, is uncertain, and many of them are obsolete; while on many practical questions they give no direction; and the ecclesiastical courts are largely inoperative. No secular judge could administer the law of the land under such conditions. The position is profoundly unsatisfactory. A commission, of which I am chairman, is now considering the revision of the canons, and it is hoped that some means may soon be found which will enable changes in the worship of the Church to be made in a constitutional and orderly manner."

"To-day," continued the Archbishop, "thoughtful people are concerned with the future of international law. We are fighting not only for our preservation, for the liberation of the peoples of the world from a foul and cruel tyranny, but also for a new order, in which the nations will recognise and obey a law above national interests and ambitions. Edmund Burke described this as 'a law which governs all laws, the law of the Creator, the law of humanity, justice, equity—the law of nature and of nations.' Victory will be in vain unless this law is established. In an imperfect world law must have force behind it. The more certain it is that breaches of law will be punished, the less likely it is that it will be broken. Fine phrases about the dignity of law are futile unless there is sufficient force to restrain the criminal nation which will plunge mankind into war to gain its own ends.

"With force there must also be devised some machinery for the revision of international law as circumstances may eventually change treaties once just into treaties both obsolete and harsh. Through the close co-operation of the great allies it should be possible to secure the re-establishment of international law. At first the British Commonwealth, the United States, and Russia must form the shield under the shelter of which the new order

of law will be established, but eventually all the States, small as well as great, must take their part in the defence of international law."

SIR PERCIVAL MEADON expressed warm appreciation of the developing partnership between the local education authorities in Lancashire and the Manchester University. Local education authorities would be very busy for the next ten years bringing the new Education Act into full operation, and in Lancashire they would be inspired by the thought that the Manchester University was behind them.

The Vice-Chancellor said people were sometimes apt to overlook the far-reaching influence of the young civic universities like Manchester. That influence was likely to increase greatly. Indeed, three things showed how happily the Manchester University was becoming integrated with the life of its neighbourhood : its representation on the Joint Hospitals Board, its consultations with the Manchester Education Committee on the possibilities of wider co-operation, and the plans, now approved, for the institution of a consultative council, the members of which would be elected by the University and the Manchester Chamber of Commerce, and the object of which would be to bring science, commerce and industry into closer relationship.

At the Degree Day Ceremony on the 1st of July, the Vice-Chancellor said that a few weeks ago he referred to the approval of plans for the institution of an advisory and consultative council composed of members elected in equal numbers by the Manchester Chamber of Commerce and the University. The arrangements for this " promising enterprise " were going forward most satisfactorily, and it was hoped shortly to announce the names of those appointed by both partners. " We are confident," he said, " that this co-operation between those engaged in research and those in industry and commerce will be fruitful and helpful to all concerned, and the University welcomes this opportunity of action with the Chamber of Commerce."

RESEARCH
AND
INDUSTRY.

Sir John referred to the fact that the first posthumous degrees under the new regulations have been conferred on two former

students, William Douglas Barnwell and Philip Stansfield Preston, both of whom were killed in action in February.

A fine example to British Industry has been set by the Directors of Imperial Chemical Industries by their offer to provide eighty Fellowships to be held by senior workers in certain sciences at nine universities in Great Britain. The scheme is announced to operate for an initial period of seven years.

UNIVERSITY
FELLOWSHIPS
IN SCIENCE.

The Fellowships will be of an average value of £600 per annum, though the universities will have power to determine the emoluments for each particular appointment. The Directors of the I.C.I. have described on broad lines the subjects in which Fellowships are to be held, and the administration of the scheme rests wholly with the universities, which will select and appoint the Fellows, subject only to such conditions as to duties and tenure as the universities themselves impose.

The purpose of the directors in instituting this scheme is to strengthen the general provision in the British universities for scientific teaching and research. The directors believe that academic and industrial research are interdependent and complementary, and that substantial advances in industry cannot be looked for without corresponding advances in academic science.

In their view it is important that the immediate objective should be the strengthening of university scientific departments in whatever way each university thinks to be best. No conditions whatever are attached by the directors to the tenure of these Fellowships. The Fellows will be members of the university staffs and will be concerned only with the duties laid upon them by the universities. Their primary work will lie in research. But they must also take some part in university teaching. It is intended not to relieve the universities from the cost of maintaining any part of their normal work but to enable them to add to what they already do.

The universities to which this offer has been made comprise the larger metropolitan universities and those which have a close geographical relation to the main centres of the company's production. Twelve Fellowships each have been offered to the

Universities of Oxford, Cambridge and London, eight each to the Universities of Glasgow, Edinburgh, Manchester, Birmingham and Liverpool, and four to the University of Durham.

The directors believe that a rational policy of this character, together with a wise selection of men both as regards capabilities and tenure of office, will lead to the emergence of a body of men capable of taking high academic or industrial positions, thereby advancing academic and industrial research.

Lord McGowan, in a letter to chancellors of universities, added that the I.C.I. directors had offered these Fellowships to nine universities selected on account of their size and metropolitan character or of their geographic relation to the main centres of the company's production. "Nearly three generations of experience of the administration and conduct of research have convinced us that academic and industrial research are interdependent and complementary, and that it is useless to expect substantial advances in industry without corresponding advances in academic science. . . . It is reasonable to assume that if our scheme works well others may feel disposed to make similar subventions. Parenthetically, we have taken it for granted that appointments will be made without any discrimination as regards race or nationality."

At the meeting of the Council of the University held on the 14th of July, the Vice-Chancellor, with great pleasure, announced the offer of a contribution of £5,000 from the Governors of the Royal Manchester CHILD HEALTH INSTITUTE. Children's Hospital towards the foundation of a Child Health Institute.

This offer is the first promise received since a conference was recently held in the University to consider the establishment of an Institute of Child Health. The conference was attended by representatives of some of the local authorities, the voluntary hospitals and other institutions interested in child health. The Vice-Chancellor explained that the cost of a professorial department in this subject would be from £7,000 to £10,000 per annum, and that the establishment of the department would be dependent upon the provision of the necessary funds from outside sources.

The proposal had been met by a most encouraging response from representatives present at the conference who had promised to raise with the various bodies which they represented the question of annual grants for this purpose.

It is particularly gratifying that the first response should have come from the Royal Manchester Children's Hospital, which was founded in 1829, and is believed to have been the first general hospital for children in the British Isles.

The untimely death of Dr. William Temple, Archbishop of Canterbury, which occurred on Friday, the 27th of October, at Westgate, in a room overlooking the sea, has inflicted a grievous blow to the cause of religion, which has in it all the elements of a tragedy.

WILLIAM
TEMPLE,
ARCHBISHOP
OF CANTER-
BURY.

To quote the words of the Bishop of Manchester (Dr. Guy Warman) in his tribute to the Archbishop at the memorial service in the Manchester Cathedral : "A very great man has passed away, great both in Church and State, one of the largest-hearted one ever meets. His massive intellect and great humility had enriched the world. He united in a remarkable manner administrative ability and solid learning."

Great as were his intellectual gifts his real significance for the church lay in his personality.

Whatever else might be said or brought against the church whilst Dr. Temple was Archbishop, no one can deny the example and influence of a courageous, outspoken and high-principled leader.

No man was ever less of the "proud prelate," more simple, natural, more affectionate.

It is impossible to measure the extent by which not the church alone, but the nation must suffer, the more tragic for its occurrence when his great spiritual and intellectual qualities were still at their height, and his great power of leadership had achieved so much and promised even more.

When we reflect we recollect with surprise how short a time has passed since his enthronement as Primate of All England. Little more than two years have elapsed since that event, which was within the most critical period of our national history.

And yet, it is true to say "the world is richer in that William Temple lived".

William Temple was born at the Palace of Exeter, on the 15th October, 1881, during his father's tenure of the See.

He was educated at Colet Court, Hammersmith, and Rugby, of which he was a scholar, going to Balliol, Oxford, with an exhibition. He had a brilliant University career with a first in Classical Moderations and a first in Literae Humaniores. After taking his finals and his bachelor's degree, in 1904, he was elected Fellow and Lecturer at Queen's College, where he remained as lecturer in Philosophy until 1910.

He had been President of the Oxford Union in his last undergraduate year, and he retained his contact with undergraduate life and thought to a greater degree than most senior men.

He was President of the Workers' Educational Association from 1908 to 1924, and during those sixteen years his contact with its work was continuous and intimate. In 1910 he went to Repton as Headmaster. He was specially interested in the work of the Student Christian Movement and frequently took part in its meetings at Swanwick and elsewhere.

On New Year's Day, 1913, it was announced that William Temple had been appointed to St. Margaret's, Westminster, which benefice carried with it one of the canonries of Westminster Abbey, but it had been overlooked that "no person shall be capable of receiving the appointment of Dean, Archdeacon or Canon until he shall have completed six years in Holy Orders".

Consequently, Temple had eighteen more months at Repton, and then accepted the living of St. James's, Piccadilly. With him he took his mother, and in 1916 the home was made even happier by his marriage to Frances Gertrude Anson, who, thenceforward, shared all his plans and hopes, and contributed as no one else could have done to their fulfilment.

In June, 1919, Canon E. H. Pearce was nominated to the Bishopric of Worcester and Dr. Temple was appointed to the vacant canonry of Westminster Abbey, and eighteen months later, upon Bishop Knox's resignation of the See of Manchester, Temple was elected to succeed him, where he spent eight of the happiest years of his life, for he was regarded with particular esteem and affection.

In his farewell message to Manchester upon his elevation to the Archiepiscopal See of York, he declared that he had learnt to love everything about Manchester, except its climate.

From 1921 to 1928, while Bishop of Manchester, Dr. Temple was a Governor of the John Rylands Library, and during those years he seldom missed an attendance at the meetings of the Council.

Writing in 1941, Dr. Temple said: "one of my greatest pleasures during eight happy years in Manchester was to attend some of the committees of the Rylands Library. We were able to think solely of the best equipment of that temple of human culture, with no regard to any ulterior object".

It was in Manchester that Dr. Temple wrote "*Christus Veritas*", many of the thoughts of which were more simply presented a few years later in "*Christ in His Church*", a visitation charge to the Manchester clergy.

In January, 1942, Dr. Cosmo Lang resigned the Archbishopric of Canterbury and Dr. Temple, who was regarded as the obvious successor, was duly appointed, and on March 23, 1942, surrounded by representatives of many sections of the national life, William Temple was enthroned as the successor of Augustine in Canterbury Cathedral, and in moving words he spoke of his father as the inspiration of his life.

Dr. Temple's "*Gifford Lectures*" at Glasgow in 1932-33 and 1933-34, published under the title of "*Nature, Man and God*", were a fine example of that astonishing vigour and versatility of which so much has been said. Dr. Inge wrote of the work: "It would be a great achievement for a university professor, for a ruler of the Church it is astonishing."

Dr. Temple's principal publications are: *Church and Nation*, 1915; *Plato and Christianity*, 1916; *Mens Creatrix: an essay*, 1917; *Issues of Faith*, 1918; *Fellowship with God*, 1920; *The Universality of Christ*, 1921; *The Life of Bishop Percival*, 1921; *Christus Veritas*, 1924; *Christ in His Church*, 1925; *Personal Religion and the Life of Fellowship*, 1926; *Essays in Christian Politics*, 1927; *Christianity and the State*, 1928; *Christian Faith and Life*, 1931; *Thoughts of some Problems of the Day*, 1931; *Nature, Man and God*, 1934; *Readings in St. John's Gospel*, 1939-40.

The death of Sir Christopher Thomas Needham, D.L., J.P., LL.D., which occurred at his home at West Didsbury on the 29th of April, 1944, at the age of 77 years, has inflicted a grievous loss on the cultural and commercial life of Manchester.

SIR
CHRISTOPHER
THOMAS
NEEDHAM.

The story of Sir Christopher Needham is essentially one of public service. The greater his responsibilities the more he seemed able to undertake. A loyal son of Lancashire, most of his business and social activities were centred in his native county, but he had also a notable record of work in the national interest, especially in the 1914-1918 war, and post-war periods.

Christopher Thomas Needham was the son of John Needham of Flagg, Derbyshire, who settled in Manchester, where Christopher Thomas was born on the 30th August, 1866.

He was educated at the Manchester Grammar School and the University of Manchester, where he graduated in Arts. He entered the business of John Needham & Sons, Limited, iron and steel merchants, of which he became chairman.

From the days of his youth he took a deep interest in the broader aspects of finance and commerce, and long experience of business and a wide knowledge of world conditions made him an authority with whom commercial men and Government departments were always ready to confer.

In the course of his career he served as Chairman of the National Boiler and General Insurance Company, and of the District Bank. He was on the directorate of the Manchester Ship Canal Company, The Alliance Insurance Company, The London and North Eastern Railway Company, and the Manchester Chamber of Commerce.

Sir Christopher's capacity for public and private service seemed inexhaustible. He was a member of the Council of the British Cotton Growing Corporation, of the Council of the East Lancashire Territorial Army and Air Force, Chairman of the Manchester Joint Hospital Board, President of the Manchester Ear Hospital, of the Proctor Gymnasium and Hulme Lads' Club, and Vice-President of the Lancashire Playing Fields Association. For three years he was Honorary Secretary of the

Association of Chambers of Commerce. From 1919 to 1921 he was President of the Manchester Statistical Society, and in 1923 he was President of the Manchester Bankers' Institute. He served the county in the capacity of Deputy Lieutenant and Magistrate.

The bare list of offices which he occupied indicates how remarkably active his life was, and it should be added that he took no office without giving service.

He was a Liberal in politics and sat in the House of Commons for eight years, representing the South-West Manchester Division, from 1910 until the Dissolution in 1918. His knighthood, conferred in 1919, was the reward for many services given unsparingly to the Government during the Great War and the era of reconstruction which followed. His special knowledge and experience fitted him to carry out investigations into war and post-war problems, and he was called upon to serve on many Government committees and commissions including the Royal Commission on the Civil Service, 1929-1931.

In later years his main interest had been in the University of Manchester, indeed, his connection with the University was never broken throughout a life full of exacting work. His affection for it and his interest in its progress amounted to devotion, and his personal services to it were of the greatest value.

The Vice-Chancellor in his tribute declares that in losing Sir Christopher the University has lost one of its statesmen, a loyal and generous supporter and well-beloved friend, and we are grateful for what he achieved and for all that he stood for.

At the funeral service, held in the Manchester Cathedral, in which a congregation representing the cultural, commercial, and many other aspects of the city's life took part, the Bishop of Manchester (Dr. Guy Warman), in the course of his address, paid a tribute to the late Sir Christopher. "Manchester as a City," said the Bishop, "and in many parts of its common life was the poorer for his passing. He was a very busy business man, yet he found time to serve his fellow-men. He was ever ready to do what he could—if there was a piece of work to be done he was always ready to do it. He cared and he served. He had an infinite capacity for taking pains. We shall miss him

sorely but he leaves behind him an inspiration and an example which will help us in the difficult days to come."

Sir Christopher had been associated with the administration of the Rylands Library for upwards of fifteen years, and throughout that time he had served the institution with untiring devotion in all its affairs. His memory will be cherished by all who knew him, and he will be missed not only by the Governing Body but also by the staff, whose admiration and affection he had won. They will miss his wise counsel, for he delighted to do good by stealth, and made friends wherever he went.

He was appointed a Governor in 1929, in 1935 he became Vice-Chairman of the Council, and in 1935 he was elected a Trustee.

It is with profound regret that we have to record the death of James Tait, the distinguished historian, at the age of 81 years, which took place at Wilmslow on the 4th of July.

JAMES TAIT

James Tait, the second son of Robert Tait, a Manchester merchant, was born in Manchester on the 19th June, 1863. He entered Owens College in 1879 from a private school, and graduated with first class honours in history. At Balliol College he again graduated with first class honours in 1887, and in 1890 he was elected to a prize Fellowship at Pembroke College. In the meantime he had joined the staff of Owens College as Assistant Lecturer in History and English Literature. In 1896 he became Lecturer in Ancient History and in 1902 Professor in Ancient and Medieval History. In 1919 he resigned in order to devote his time to his historical researches. The University made him a Doctor of Letters and Honorary Professor in 1920, and a member of the Council in 1921.

Professor Tout, also a Balliol man and a Fellow of Pembroke, came to Manchester in 1890, and for thirty years in co-operation with Tait carried on and developed the work begun by Richard Copley Christie and Adolphus Ward, which resulted in the creation of a home of real historical teaching and scholarship which has become world famous. Although strangely contrasted in method and personality these two scholars were united in

their devotion to the study of medieval history, and both took a leading part in the revival which was begun by the work of Stubbs. Tait's contributions, in the main, were in the field of local history.

Like several other scholars who afterwards became famous, Tait learned his craft in writing for the "Dictionary of National Biography," to which he contributed a considerable number of articles on the fourteenth and fifteenth centuries.

At one time, after he had explored and rejected a suggestion that he should work on the history of the English occupation in France under Henry V and Henry VI, he concentrated on the reign of Richard II; but he found himself drawn more and more to the problems of "Domesday Book" and of town life. The influence of his earlier interests is to be found in a well-known essay (1902) on the death of Richard II's uncle, the Duke of Gloucester, in his edition of John of Reading and other annals of the fourteenth century (1914), and in the work of his pupils.

His reputation was established by a searching review of Maitland's "Domesday Book and Beyond," and by his study on "Medieval Manchester and the Beginnings of Lancashire," a work which began, in 1904, the Historical Series of the Manchester University Press.

He allied himself with his friend William Farrer in work on the "Victoria History of Lancashire," and he gave renewed lustre to the publications of the Chetham Society, of which he was president for ten years (1915-25). After his retirement from his Chair he took up and completed Adolphus Ballard's edition of "British Borough Charters" (Vol. 2, 1923), and wrote many penetrating essays and reviews on the problems of municipal history of medieval England. His studies resulted in his most important book, "The Medieval English Borough" (1936), which marks an epoch in the investigation of a difficult subject, from which every student of the history of boroughs must start. It is not the work of a narrow specialist but of a master of English history, for whatever theme Tait might choose he never overlooked the unity of historical study. When Sir Allen Mawer and Professor Stenton founded the English Place-name Society Tait was invited to become its first president, and he contributed

ungrudgingly, both by his pen and his unfailing sagacity in advice and criticism, to the success of its publications.

The resignation of his Chair made little difference to Tait's relations with his colleagues in the History School, and in the University as a whole. He was a regular frequenter of the University Library, the Arts Building, which he had done so much to plan, and the staff common-room.

He succeeded Professor Tout as chairman of the University Press Committee, a position very congenial to him, and when the "History Conference" of teachers and advanced students was established he was one of the most faithful members. He was more than an "honorary" professor, he was a wise friend and counsellor, always ready to help. Meanwhile his position among the younger historical scholars of England became almost legendary. A young medievalist was satisfied if his first book was approved by Tait.

The esteem in which he was held was shown on the completion of his seventieth year, in 1933, when a handsome volume of "Historical Essays in Honour of James Tait" was presented to him. In the same year he was made an honorary doctor of the University of Oxford, and elected to an honorary Fellowship of Pembroke College. He was elected a Fellow of the British Academy in 1921.

Very few men have done so much work which will never require to be done again !

Between 1929 and 1932 Tait was an honoured member of the Council of Governors of the Rylands Library, where his ever-ready counsel was a source of great comfort and delight to his colleagues.

Tait's natural shyness and reserve combined to separate him from general society, but within his own circle he was known as a most lovable man, steadfast and loyal in friendship as in everything else. A man of honest kindness with a shy and delicate consideration for others, which his intimate friends shared with reverence and admiration. For much of the appreciation of our friend's life and influence expressed in the foregoing paragraphs we are indebted to the writer of the "Obituary" which appeared in the *Manchester Guardian* of the 5th of July, 1944.

The Library has suffered, what must be regarded as an irreparable loss, through the death of Dr. W. E. Crum, F.B.A., the great Coptic Scholar, who in 1909 was responsible for the publication of the "Catalogue of the Coptic manuscripts in the John Rylands Library."

WALTER
EWING
CRUM.

Walter Ewing Crum was born on the 22nd of July, 1865. He was the eldest son of Mr. Alexander Crum, sometime M.P. for Renfrewshire, his mother was the daughter of Alexander Ewing, Bishop of Argyll and the Isles. His death took place at Bath on Thursday, the 18th of May, 1944.

In 1879 Crum went to the Rev. William Hale's house at Eton, thence he passed to Balliol College, Oxford, where he graduated in 1888 in Modern History.

While still an undergraduate he developed a taste for Egyptology, and after taking his degree he went to Paris, with an introduction to W. Groff. From Groff he learnt his first hieroglyphs, but the lectures of the great Gaston Maspero proved far more profitable.

After a winter in Paris he went to Berlin, where he spent the best part of three years, matriculating at the University and studying Coptic.

He competed in the examination for an assistantship in the Department of Egyptian and Assyrian Antiquities in the British Museum, and came out first in the list. He failed, however, to pass the medical examination and, fortunately, having some private means, Crum thereupon devoted himself to research in an unofficial capacity.

From 1892, the intensive study of Coptic occupied all his time, and in quest of fresh material he visited the national libraries of many lands. Working through the manuscripts in the British Museum, the number of which was being augmented every year by Wallis Budge from the monasteries round about Akhmim, in upper Egypt, Crum soon became aware of the serious deficiencies of the Coptic lexicons of Parthey, Tattam, and Peyron. But it was necessary to produce many large volumes of texts and commentaries before he embarked upon that comprehensive Coptic Dictionary, which was his crowning achievement. It was issued in six parts beginning in 1929, the last volume being

published in 1939. Among these earlier works may be mentioned his catalogues of the Coptic Manuscripts in the British Museum (1905) and the Rylands Library (1909), and his masterly handling of the ostraca and papyri discovered in the monastery of Epiphanius at Thebes (1926). While preparing these and other books Crum was continually adding to the slips for his dictionary. When the last war began he was working in Vienna with his precious packing-cases, and it was later a matter of no small difficulty and great anxiety before they were brought back to England. In 1925 the work of sorting the slips was begun in real earnest, and a year or so later arrangements for the publication were made with the Oxford University Press.

In 1931 Crum was made a Fellow of the British Academy, and in 1937 the honorary degree of D.Litt. of Oxford was conferred upon him, the Public Orator addressing him as *Vir ἐν τοῖς Κοπτικοῖς ἀεὶ προσκόπτων*, and the Vice-Chancellor welcomed him as *Vir Koptikórate qui Christianorum Aegyptorum linguae et litterarum fragmenta ac micas in unum corpus mirabili labore redegisti.*

As one writer has well said, it was impossible to know Crum without falling under the spell of his charming personality.

Crum was a brilliant linguist. He spoke and wrote both French and German with elegance and precision, and even published articles in those languages. But Coptic absorbed practically the whole of his strength, and of this his knowledge was so wide that hardly ever was a book issued on the subject without recourse to his help.

Generous minded and prompt in correspondence, his learning was unhesitatingly at the service of all who consulted him, and he will be sorely missed.

Within a week of the passing of Dr. Crum the study of Egyptology suffered another serious blow through the death of Sir Herbert Thompson, another firm friend of the Library, which occurred also at Bath, in his 85th year.

SIR HERBERT THOMPSON.

Born in 1859, after a varied career and as a result of an accidental meeting with Sir Flinders Petrie, Sir Herbert took

up, at the age of 40, his real life work of Egyptology. This brought him into close touch with Dr. Crum and Dr. F. Ll. Griffith, both destined to become two of his greatest friends, and decided him to specialise in Demotic and Coptic.

The result of his decision soon became apparent. In 1904 the "Demotic Magical Papyrus of Leiden and London" was published, and in 1907 an account of a number of Demotic Papyri found by Petrie at Rifeh in the latter's "Gizeh and Rifeh." In 1906 he published "The Coptic Sahidic Version of Certain Books of The Old Testament," followed in 1913 by the Demotic and Coptic Texts in "Theban Ostraca."

In 1924 he edited the earliest extant copy of St. John's Gospel from a Coptic Papyrus discovered in Egypt by the late John Starkey, and later, at the request of Dr. H. R. Hall he compiled a Hand-list of the Demotic Papyri in the British Museum. This led to intensive work on an important archive from Siut, which he generously had enabled the Museum to purchase, and as a result of this, in 1934 appeared "A Family Archive from Siut," in two volumes. This was a fine contribution to Demotic studies and an addition to our knowledge of law in Ancient Egypt. Previous to this he edited the publication of Mr. Chester Beatty's Coptic Manuscript of the Acts of the Apostles and the Pauline Epistles in the Sahidic Dialect.

He was kept busy by new discoveries of Demotic Papyri and other important finds up to his eightieth year.

In 1908, after upwards of ten years of persistent labour, Dr. Griffith completed the three volume "Catalogue of the Demotic Papyri in the John Rylands Library," in the preparation of which he had had the collaboration of Sir Herbert, and it was with his collaboration that, what we believe to be, the first published Glossary of Demotic was published, filling nearly two hundred quarto pages of the Catalogue.

It is with much regret that we have to record the death of Alderman Robert William Shepherd, at the age of 80 years, which took place on the 18th of August, at his home at Prestwich, Manchester.

For nearly twenty-eight years Alderman Shepherd had been a member of the Manchester City Council, and took an active interest in most local affairs.

ROBERT WILLIAM SHEPHERD.

He served on many of the Corporation Committees, including the Electricity, Rivers, General and Parliamentary, and the Public Libraries, of which he was Chairman for several years. He was also Chairman of the North-West Regional Libraries Scheme, and a member of the Board of Directors of the Manchester Ship Canal Company.

From 1929 until the time of his death, Alderman Shepherd represented the Corporation of Manchester on the Council of Governors of the John Rylands Library, and from 1939 he filled the office of Honorary Treasurer.

His genial presence will be sorely missed by his colleagues on the Rylands Council.

Manchester has sustained another great loss through the death of William Percival Crozier, the Editor of the *Manchester Guardian*, which took place suddenly on Sunday, the 16th of April, at the age of 65 years.

WILLIAM
PERCIVAL
CROZIER.

Mr. Crozier was the son of the Rev. Richard Crozier, a Wesleyan Methodist Minister, and was born at Stanhope, Durham, in 1879. He was educated at the Manchester Grammar School and Trinity College, Oxford, where he graduated with First Class Honour Moderations, and First Class Lit. Hum.

A public service was held at St. Ann's Church, which was attended by a large congregation, representing every aspect of the city's life and activities.

Canon Peter Green, an old friend of Mr. Crozier, in a short address, paid a moving tribute to our friend, in which he said that Crozier was perhaps a greater man than Manchester and the world had realised.

"There are men," said Canon Green, "whose names are on every man's lips, of whom we read daily in every paper and whom we see on every platform. But touching life at so many points they touch it only lightly and make little impression. Not going deep they effect little, and their work having no depth of earth soon withers. A few months after their death they are no longer missed, a few years after they die they are forgotten. It will not be so with Crozier, because he devoted his whole

life and strength to a single aim. If a man lays the foundations of his work deep and builds on it with all his powers the work not only lasts but grows. Ten, twenty, fifty years after, the work is not merely still there, it is growing, and the only begetter of it is recognized and his true stature acknowledged."

" Crozier's life's work was, if not one piece, at least all of one piece. Journalist as he was—and all competent to judge know that he was a journalist to the tips of his fingers—he never thought of a great paper merely as an instrument for the dissemination of news. Rather, it was to him, a bright sword in his hand in the eternal battle against falsehood, cruelty, and injustice. Since our race began, the forces of good and of evil have fought over the moral and intellectual gains of mankind, and as long as the race lasts that battle will go on, for there is no discharge in that war. And in that war Crozier was an unwearying fighter.

" The peculiar flavour which those who love it recognise in the *Manchester Guardian*, which causes it to be regarded far outside this land as representing a special aspect, perhaps the noblest aspect of the British mind, the flavour which C. P. Scott gave it was not diminished under Crozier. Rather in these ill days it increased, for the paper expressed the man himself.

" Some of you," said Canon Green, " may blame me for speaking as if Crozier did only one work, and will say, ' What of his work for Manchester University? ' His loyalty to his old University, Oxford, a loyalty so strong and deep that some people were too blind to recognise it, his deep belief that Oxford had a unique contribution to make to the national life, so far from hindering, helped his work for Manchester University. It should be absurd to say that he saw in a university nothing more than a training ground for future journalists. I am sure he saw and would see nothing nobler in any university than to be a seed plot, the training ground of men who in a thousand different walks of life would be soldiers in that same battle in which he fought. And so desiring the ' mens sana in corpore sano ' he could touch and influence every side of the life of the men."

" One word more remained to be said," continued Canon

Green, "Mention has been made of his reserve. Reserve, yes ! gush, affectation, demonstrations of affection were alien to his temper. But those who knew him recognised in him something like a genius for friendship. His younger colleagues trusted him. Trusting him they came to know him. Knowing him they learned to love him. And I think that alike in the wide life of the city he served and of the world at large, and in the more narrow but not less precious life of his private friendships, the memory of the man and his stature will grow and not diminish with the years. For a great man has fallen this day in Israel."

Canon Green concluded his address by reading one of those passages of great literature, with which Crozier nourished his own mind, from Milton's "Areopagitica."

Mr. Crozier wrote only one book of his own, an excursion into imaginative history, the nature of which is indicated by the title, "The Letters of Pontius Pilate," yet literature, of which he had a larger endowment than most writers, informed his whole work to the continual benefit of his journal and its readers.

At a meeting of the Directors of the *Manchester Guardian*, on the 28th of April, Mr. A. P. Wadsworth, M.A., was appointed Editor and a Director of the Company, in succession to Mr. W. P. Crozier.

THE
MANCHESTER
GUARDIAN.

Mr. Wadsworth entered journalism on the *Rochdale Observer*, and joined the reporting staff of the *Manchester Guardian* in 1917. After serving as "Special Correspondent" in Ireland, and elsewhere, he became Labour Correspondent, Leader Writer, and latterly Assistant Editor.

Mr Wadsworth is part author of "The Cotton Trade and Industrial Lancashire, 1600-1780" (1931) and in 1932 he received the Honorary Degree of M.A. from Manchester University in recognition of his work in economic history.

At the meeting of the Council of Governors of the John Rylands Library held on the 26th of June, Mr. Wadsworth was elected a Co-optative Governor, to fill the vacancy caused by the death of Sir Christopher T. Needham.

At a meeting of Convocation of the University of Manchester on the 8th of June, presided over by Mr. John Coatman, Lord Woolton was elected Chancellor.

The office of Chancellor had been vacant since the death of the late Earl of Crawford and Balcarres in 1940, at which date it was considered desirable, because of the war, to defer the choice of a successor, which rests with Convocation, the association of graduates of the University.

THE NEW
CHANCELLOR
OF
MANCHESTER
UNIVERSITY

Lord Woolton is a graduate of Manchester, a native of the city and an old boy of the Manchester Grammar School. He is also a member of the Court of the University, and Treasurer of the University of Liverpool, with which city, as well as with Birmingham, his business career and his interest in educational and social developments were associated before his experience and ability were put entirely at the service of the Government at the beginning of the war, first as Minister of Food, and more recently as Minister of Reconstruction.

During the last war, being medically rejected for military service, the new Chancellor, as Mr. F. J. Marquis, joined the War Office Contracts Department, and became Controller of Civilian Boots. This led to the secretaryship of the Boot Manufacturers' Association after the war, and in 1920 to the Board of Lewis's Limited, of which concern he became chairman and managing director in 1936.

The new Chancellor has always maintained a close association with his old University. He was an active chairman of Convocation and his services in that capacity are remembered with gratitude. Three years ago Mr. John Coatman became Lord Woolton's successor as chairman of Convocation.

Lord Woolton, so far as is known and excluding Oxford and Cambridge, is the first graduate of an English University to be chosen Chancellor of his own University.

The recent death of Dr. Walter L. Bullock, who had been Professor of Italian Studies in the University of Manchester since 1935, has robbed the University of a great scholar.

THE
BULLOCK
ITALIAN
COLLECTION.

His collection of Italian literature, consisting of 5000 volumes and several hundreds of pamphlets, has passed

into the keeping of the University Library, and the present brief preliminary survey of its contents has been drawn up by the University Librarian (Dr. M. Tyson).

A preliminary survey of the Bullock Collection shows that it consists of over 5000 books and several hundred pamphlets. It may be divided into four groups : (a) over 2600 volumes printed in the sixteenth century (or in the first few years of the seventeenth), (b) nearly 2000 books and pamphlets consisting of later editions of sixteenth-century works and other books bearing upon the same period, (c) a large number of important reference works, and (d) some hundreds of volumes of modern Italian writers and works of criticism.

The first section is particularly rich in sixteenth-century critical editions of the work of the great mediævalists, Dante, Petrarch and Boccaccio. Tasso and Ariosto are well represented. But perhaps the most valuable feature of the collection is the strong representation of the works of minor authors ; Bembo, Dolce, Domenichi, Doni, Gelli, Giraldi, Landi, Muzio, Piccolomini, Sansovino, Varchi are represented by a dozen or more sixteenth-century volumes ranging up to over fifty of Dolce. Further, to quote from an article by Professor Bullock in 1931, when this part of his Library was considerably smaller than it is to-day : "There are besides two hundred or more works of literary theory and criticism in various styles, and scores of volumes on the much disputed 'Lingua' question ; scores on the popular topic of 'Amore' ; and dozens on the art of war, on duelling, on the gentleman, on woman, on medicine, on religion, on education, on law, on demonology and witchcraft, on the art of letter-writing, on 'Impresse', on geography and travel. Also a number of dictionaries, and anthologies both poetic and epistolary. As to the division by literary types, there are nearly a hundred comedies in Cinquecento editions ; about fifty tragedies ; well over a hundred volumes of Rime ; scores of novella volumes and scores of Chivalric Romances." Many items of great interest in connection with the history of printing might be mentioned, including a number of bibliographical rarities.

The second section contains such items as the "Opera Omnia" of Giglio Gregorio Giraldi, printed in 1696, one hundred and

fifty years after his death : standard eighteenth-century editions of the works of such writers as Bembo, Della Casa, Castiglione, Navagero, Speroni and Trissino : more recent editions of sixteenth-century authors, and rare nineteenth-century pamphlets bearing on the same period.

In the third section the fundamental reference books include the works of Crescimbeni, Quadrio, Mazzuchelli, Tiraboschi, Ginguené, Zeno Fontanini, Haym and Gamba, as well as more recent literary histories and the new 37-volume "Enciclopedia Italiana." There are also many important regional bio-bibliographies and special bibliographies, together with catalogues of several general collections.

The fourth and last section does not properly belong to the collection, and it is proposed to absorb its contents into the general Arts Library. It is a miscellaneous group of works of authors and critics, not collected for any specific purpose, and ranging from the seventeenth century down to Benedetto Croce and Gabriele D'Annunzio.

It is proposed to keep the first three sections together permanently as "The W. L. Bullock Cinquecento Collection," and house it with the Christie Collection. The Bullock books fit in very well with the Christie Collection, which also is largely concerned with the sixteenth century. The latter would be rated much higher by a bibliophile and contains more book rarities ; the Bullock books, however, will be consulted by a much wider range of students and should provide material for much advanced work in both language and literature in the Italian, French and English honours schools.

A number of volumes will even be found which are of interest to students of the early history of the sciences.

Mr. John Howard Whitehouse, one of Ruskin's most faithful disciples, and founder-secretary of the Ruskin Society of Birmingham, has presented to the University of Oxford "Brantwood," the home of John Ruskin, on Lake Coniston, where the donor's fine collection of Ruskin's pictures and other treasures is to be accessible to visitors.

JOHN
RUSKIN AND
OXFORD.

The house forms part of the estate of more than 170 acres on Lake Coniston, and will be put to a variety of purposes as a permanent memorial to Ruskin. It will be a place of rest and recreation for senior members of the University and a centre for undergraduates' reading parties.

Adult education will also form an important part of the scheme, through which the Delegates for Extramural Studies, acting jointly with educational bodies in the North, and as such it will be a tribute to Ruskin's memory by associating it with adult education.

When Ruskin died in 1900, a year before Queen Victoria, *The Times* in its obituary notice likened him to St. Francis, and in its leading article drew a parallel with Loyola. So clearly was it recognized, before that long life closed, that here was one who drew his compelling power over men's minds from the deepest sources of inspiration. In earlier years he had been an intensely controversial figure, because he was both of his time and against it.

He was of his time in that all his teaching was firmly rooted in ethics. The business of art, he held, was to give a moral interpretation of nature and, as his horizons broadened, he held that this was the function of all business. But he was against his time in that he challenged its accepted values and, since the prophet in him rejected all compromise, he rushed upon all the misunderstandings and worse that attended a denunciation of railways in the railway age. But many who deplored his violence knew that the heart of the matter was in him and that he lived resolutely in the good, the beautiful and the true, being indeed concerned to show that beauty was man's reaction to truth and had a meaning only in a setting of goodness.

That Ruskin's preoccupations with ethics limited his vision would not now be disputed. Much that was great in Renaissance and later art escaped him, and even where his critical eye was keenest posterity has reversed his judgment and has traced the main line of descent in painting from Constable rather than from Turner. Nevertheless, it is true that moderns see with his eyes and that artistic criticism as now practised would be impossible if "Modern Painters" had not taught his generation how to

look on mountain and cloud. But the period of his greatest influence began when he turned from art to economics and used all the resources of his wonderful style to demonstrate to Victorians, who had erected self-interest into a system, that all good work was essentially disinterested. In the long series of lectures and essays which began with "Unto This Last" he was shaping the future, and was perhaps shaping it still more when in the midst of his duties as Oxford's first Slade Professor he began to write the letters to working men which he entitled, with characteristic allusiveness, "Fors Clavigera." In so far as his home enshrines his spirit, his message will still be found there.

The priceless art treasures which have been looted from Europe's art galleries and churches by uniformed Nazis, known as the "Art Corps," will be restored to their rightful owners or places after the war, or reparation in kind will be made.

RESTORA-
TION OF
LOOTED ART
TREASURES

A committee has been appointed by the Prime Minister to investigate the theft of works of art, monuments, and archives by enemy governments and individuals, of which Lord Macmillan has been appointed chairman, who will co-operate with the United States Commission already in being and with any similar bodies set up in other Allied Countries.

There is already an inter-Allied Committee of art experts, under the auspices of the Institute of Art and Design, which has been meeting in London to discuss how to trace, and if possible prevent the sale of looted art treasures to neutral countries.

The German "Art Corps," which is under the jurisdiction of the German Foreign Office, has completely emptied the vast art galleries of Warsaw, several of which were completely demolished.

Most of the treasures of the Paris art galleries were taken to Berlin "for exhibition." Their removal was personally supervised by the former director of the Munich State Museum, who had previously been on similar missions to Vienna, Warsaw and Amsterdam.

The Napoleonic relics, which Hitler admired when he visited Paris after its occupation, were presented to him.

The work of Da Vinci, Tintoretto, and other great Italian masters disappeared from Italy. They were sent to Germany "in repayment for materials."

In Holland, art galleries and churches were ransacked. The collection of the banker, Daniel Wolf, which included works of Rembrandt, Rubens, and Van Dyck was removed to Berlin.

One of the world's masterpieces, Rembrandt's "Night Watch," was taken from Amsterdam to "a place of safety." A little later, it was reported that Goebbels and his friends were bitterly disputing its possession.

The new committee will guard against the works of art finding their way to neutral countries. There will be a stop to their being offered in the free markets of Lisbon, Madrid and Stockholm.

Commenting recently upon the burning of the Royal Society of Naples Library by the Nazis, Dr. Archibald MacLeish, Librarian of Congress, remarked that it constitutes a "crime against society and civilization."

BURNING OF
THE ROYAL
SOCIETY OF
NAPLES
LIBRARY.

"The destruction by the Nazis of the Library of the Royal Society of Naples," said Mr. MacLeish, "will be even more shocking to American opinion than the infamous book burning of 10th May, 1933. The Nazi bonfire of 1933 had some of the elements at least of mob action; in any event, Nazi apologists have attempted to present it in these terms. Twenty-five thousand books were destroyed which the Nazi regime believed, and was right in believing, it had good reason to fear. Shameful and vicious as the act was, it did little lasting injury to anything but the Nazi Party.

"The act of barbarism at Naples was of a very different character. It is obvious that the destruction of the Library of the Royal Society of Naples was an act of organized and carefully planned vandalism, for which the German military authorities must be held responsible. The 200,000 volumes of the Library of the Royal Society included scientific publications brought together from all parts of the world. They constituted a collection selected and organized to create a unique instrument of scholarship of inestimable value.

"The destruction of a great library of science and learning is the destruction not only of the books it contains but of the whole organized labour which gives these books their combined and immeasurable usefulness. The cold-blooded and premeditated burning of the library of the Royal Society is, therefore, in the most literal sense of the term, a crime against society and civilization. It exhibits the Nazis to the world more clearly than they have exhibited themselves before—as the enemies truly of the human mind and of the things by which it lives."

Excavations just completed by the Director-General of the antiquities of the Kingdom of Irak, at Tell Hassuma near Shura in North Iraq, have added a new and earliest chapter to Mesopotamian pre-history, the results of which carry the story of settled communities in this country back to the new stone age.

The earliest farming people, to whom we are now introduced for the first time, were hitherto only known from a handful of scratched and painted sherds, found in 1931, by the British Museum, 100 feet beneath the surface of the palace-mound of Nineveh.

The particular importance of this discovery of Mr. Seton Lloyd, adviser to the Director-General of Antiquities in the kingdom of Iraq, in the Mosul province, the Assyria of the biblical narrative, lies in the completeness of the record which the spade has revealed.

It begins with the settlement on virgin soil of a primitive people of the late stone age using coarse pottery, dwelling in huts or perhaps still in their ancestral tents, but well supplied with flint and obsidian weapons and implements. Above this lie levels marking a steady advance in agriculture and the arts, adobe houses, abundant evidence of an improved agricultural technique, burnished or painted pottery, until at the higher levels appears the Tell Halaf painted pottery, which once marked the oldest Mesopotamian culture known to archæologists.

Each level gives a village plan and the entire domestic assemblage of a farming community. A burial at this level represents the earliest human remains yet found in Iraq, and has now been transported to the National Museum at Baghdad.

A CRADLE OF HISTORY.

Mr. Seton Lloyd considers that the new Hassuma culture has undoubted Western affinities, and he has no hesitation in dating the inception to the beginning of the fifth millennium B.C.

Manchester, through its University Press, has been the first of the British Universities to issue a volume of essays written in Hebrew, a publication which it is hoped "MELILAH." may become an annual.

The contents are various, and the contributors come not only from Manchester, but from Jerusalem, Oxford, Cambridge, London, Sheffield and Bangor.

Though some of the papers will appeal mostly to specialists, there are topics to interest the general reader. But it is not so much what it is, as the fact that it is, which is most significant about this volume.

In Palestine Hebrew is as much the vernacular as English in England. There the University issues two reviews and has its own press, and there are numerous newspapers, magazines and books which appear inevitably in Hebrew. An experiment has recently been made of a Hebrew miscellany in England, but the consciousness of Hebrew as a living language, in which thought and learning can be conveyed naturally by living men, is not widely spread.

This venture of Manchester University is evidence that this understanding is gaining ground and for that reason alone would be welcome.

Professor Edward Robertson, a constant and valued contributor to our pages, and Professor of Semitic Languages and Literatures in the University of Manchester, is the editor-in-chief of the new venture.

We commend the following appeal to our readers :

Sir—The Manchester Society of Friends of the Hebrew University, of which I am president, has received an urgent request from the University in Jerusalem to help in filling the serious gaps which have been caused in the shelves of its library owing to the stoppage of the regular flow of books from Europe to Palestine.

FRIENDS OF
THE HEBREW
UNIVERSITY.

The work of teaching and research is hindered and a particular need is for books in English. In co-operation with branches throughout the country the Manchester Friends appeal to your readers for gifts of books of academic interest on all subjects. The Hebrew University has a most useful record of scholarship and service in its short history and we are anxious to make a gesture of goodwill and encouragement, in which we hope many will desire to participate.

A card to the hon. secretary at 139, Cheetham Hill Road, Manchester 8, will ensure that any proffered gifts will be promptly collected.—Yours, &c.,

JOHN S. B. STOPFORD.

The University, Manchester.

In June last (the 24th), the famous Unitarian meeting house in Manchester, widely known as the "Cross Street Chapel," celebrated its 250th anniversary. It was CROSS
STREET
CHAPEL. burned out by enemy action in December, 1940.

It is more than a familiar landmark in the city, for its long history embodies a great deal of the development of Manchester, and the distinction which the chapel has won has made it familiar in the history of English dissent.

The first minister was Henry Newcome, a staunch upholder of the Presbyterian polity. In the last years of the Commonwealth he occupied the position of preacher at the Collegiate Church (now the Cathedral) and, like many other Puritan divines, he lost his post and his freedom of preaching when he refused to subscribe to the Act of Uniformity in 1662.

In 1672 the Declaration of Indulgence permitted greater liberties to the Puritan preachers, so Newcome returned to Manchester and gathered his followers into a barn on Shudehill, where the congregation grew, and in 1693 the first stones of the Cross Street Chapel were laid. Newcome himself preached the opening sermon on 24th June, 1694.

In 1715 the town was thrown into a ferment through the Jacobite rising, and the chapel was attacked by supporters of the Old Pretender, and burned down. It was restored by a financial grant from the State. Again, in 1745, it was a stronghold for the Whigs against the Toryism which was encouraged

at the Collegiate Church when the Young Pretender entered Manchester.

The latter half of the eighteenth century was occupied by the joint ministries of the Rev. Ralph Harrison, the grandfather of Harrison Ainsworth, and Dr. Barnes, a well-known scholar and thinker of the day. So little was their teaching of a definite Unitarianism that in 1789 a Unitarian Chapel was built in Mosley Street to accommodate those who found Cross Street too conservative in theology. The Cross Street Chapel was attacked in July, 1791, during the "Church and King" riots which swept the country, but the gates held, and no damage was done.

The two old ministers both died in 1810, and from that time their successors became more definitely Unitarian in teaching.

It was a speech by a well-known Unitarian, the Rev. George Harris, that led through various controversies and cases to the Dissenters' Chapels Act of 1844, which granted the chapels undisturbed possession of any endowments which they had enjoyed without interruption for twenty-five years, a piece of legislation in which Mr. W. E. Gladstone took a prominent part.

Among later ministers, the Rev. William Gaskell, husband of the author of "Cranford," occupied the pulpit for fifty-six years, from 1828 until his death in 1884. He took a prominent part in the beginnings of working-class adult education, and was to the fore in the charitable work of the city, laying the foundation of many of the social services of modern Manchester.

The later history of Cross Street Chapel has been one of development along these lines, with the constant but necessary transformation into a purely city church, serving a widely-scattered congregation.

Many Cross Street personalities were among the early trustees of Owens College, and during the last century there was no cause for social or educational improvement in the city in which Cross Street Chapel did not play a predominant part.

In 1786 the Manchester Academy was founded in its vestry, so that a university education might be made available to sons of Dissenters. It survives as Manchester College, Oxford. The Unitarian College, Manchester, now a constituent college of Manchester University, was also founded in connection with the

chapel, and Mr. Gaskell played a decisive part during its early years.

Through the Unitarian connections of the Taylors and the Scotts there has always been a strong link between the chapel and the *Manchester Guardian*, whilst the enthusiasm of Dr. Barnes for learning forged another link at the close of the eighteenth century, and the newly founded Literary and Philosophical Society.

Since the war damage to the chapel the congregation has met in the old schoolroom adjoining. It was in this room that Richard Cobden made his first speech on behalf of the abolition of the Corn Laws.

The present minister is the Rev. F. H. Amphlett Micklewright, to whom we are indebted for the background of the present paragraphs, through the medium of the *Manchester Guardian*.

Readers will be interested to learn that London is to have a Shakespeare Quarter. A new Globe Theatre, double the size of the old Shakespeare playhouse, a Mermaid Tavern, and Britain's first exclusively Elizabethan Library, which are to be built on Thames-side.

SHAKESPEARE IN LONDON.

We are told that it will be the first international tribute to Shakespeare paid by voluntary contributions that have been flowing into the central fund from all parts of the world.

Already five acres of ground have been chosen by the Southwark Borough Council for the building of a Shakespeare Quarter on the spot where the bard wrote and produced seventeen of his plays.

The moving power behind the £400,000 scheme is the Globe Mermaid Association of Great Britain and America, which is raising the money.

The Association is headed by the Marquess of Lothian, and prominent personalities on both sides of the Atlantic, including, we are told, Lord Horder, Joseph E. Kennedy, formerly U.S. Ambassador to Britain, with General Smuts from South Africa, are supporting the scheme.

The new Globe Theatre will be a copy of the poet's original theatre, which was burned to the ground in 1613.

No original plans of the old Mermaid Tavern, which Shakespeare used to frequent, were available to the designing architect—Mr. Kenneth M. B. Cross—but the twentieth-century Mermaid will conform to taverns of the period with attendants dressed in Elizabethan style.

We have ventured to reprint from the "League of Nations Statistical Year Book," 1940-1, the particulars there given of the estimated population of the countries of the world, in the belief that readers may be glad to have the figures for purposes of ready reference.

POPULATION
OF THE
COUNTRIES
OF THE
WORLD.

The estimates of population are given as of 31st December, 1939:—

China	450,000,000	Austria			6,650,000
India	382,000,000	Bulgaria			6,620,000
Soviet Union	172,000,000	Sweden			6,341,000
United States of America	131,416,000	Nepal			5,600,000
Japan	72,520,000	Ethiopia			5,500,000
Germany	69,317,000	Chile			4,940,000
Great Britain	47,735,000	Saudi Arabia			4,500,000
Italy	43,864,000	Cuba			4,253,000
France	41,950,000	Switzerland			4,206,000
Brazil	40,900,000	Denmark			3,825,000
Poland	35,090,000	Iraq			3,700'000
Spain	26,000,000	Finland			3,684,000
Mexico	19,038,000	Venezuela			3,650,000
Turkey	17,620,000	Yemen			3,500,000
Egypt	16,680,000	Bolivia			3,400,000
Yugoslavia	15,703,000	Guatemala			3,260,000
Thailand	15,600,000	Ecuador			3,000,000
Czechoslovakia	15,239,000	Ireland			2,946,000
Iran	15,000,000	Norway			2,937,000
Rumania	13,300,000	Haiti			2,600,000
Argentina	13,132,000	Liberia			2,500,000
Canada	11,368,000	Lithuania			2,442,000
South Africa	10,251,000	Uruguay			2,147,000
Hungary	9,129,000	El Salvador			1,745,000
Colombia	8,986,000	Latvia			1,951,000
Netherlands	8,834,000	Dominican Republic			1,650,000
Belgium	8,396,000	New Zealand			1,642,000
Portugal	7,620,000	Estonia			1,122,000
Greece	7,201,000	Honduras			1,090,000
Peru	7,000,000	Albania			1,064,000
Afghanistan	7,000,000	Paraguay			970,000
Australia	6,997,000	Nicaragua			883,000

Costa Rica	639,000	Denmark	44,000
Panama	570,000	Egypt-Great Britain	
Danzig	391,000	(Sudan)	6,500,000
Luxemburg	301,000	France	71,641,000
Iceland	120,000	Great Britain	82,385,000
Monaco	24,000	Italy	3,302,000
San Marino	15,000	Japan	31,727,000
Liechtenstein	12,000	Netherlands	69,719,000
Vatican City	1,000	New Zealand	79,000
<i>Additional Populations in Dependencies :</i>		Portugal	10,466,000
Australia	971,000	South Africa	330,000
Belgium	14,156,000	Spain	1,000,000
		United States of America	18,767,000

Dr. G. M. Trevelyan, O.M., the Master of Trinity, the latest of the great historians, has given us a volume of 628 pages on the social history of England, in which he covers six centuries, beginning with the period of Chaucer, when England became England as never before, and concluding with the end of the nineteenth century, to the death of Queen Victoria, in which he defines social history as "the history of the everyday life of a people with the politics left out".

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This is a new standard work and one of the most enthralling books written in our time.

It is packed with facts, unfamiliar to the general reader, and is a work in the reading of which skipping is undesirable and wasteful.

The following interesting paragraphs appeared recently in the columns of the *Manchester Guardian*, and we venture to reprint them with acknowledgments to the THE
CLANDESTINE
PRESS. editor.

A sheaf of similar papers and booklets, which appeared under the same appalling strain during the last war reached the Library from the same source, and are exhibited in one of the exhibition cases in the Library.

From the days of Dunkirk—in fact, before the last boat from Dunkirk had reached England—the clandestine patriotic press in France has continued week by week to appear as a symbol of defiance against the Germans. These noble little news-sheets, published in the face of every conceivable danger and at the greatest personal risk to those who produce them, have been like a thread running through the life of France to knit together movements of resistance which otherwise would have been isolated and without cohesion. Often slender, subjected always to appalling strain, this thread of essential resistance has never been broken by the Germans ; it is perhaps impossible to overestimate the part played by the "underground" press of France in helping to create the formidable French resistance movement which is rendering such loyal assistance to the Allies in France now. Some most interesting facts about the "underground" French press are in a booklet, "A Few Facts about France," just issued by the information service of the French Military Mission. Beginning with four news-sheets in 1940, by April this year there were eighty clandestine papers circulating in France, and these, mostly published fortnightly, print a total of something like 1,500,000 copies at thirty secret printing works. *Combat*, formed in 1941 by an amalgamation of *Liberté* and *Libération Nationale*, alone prints some 300,000 copies, and to commemorate its fiftieth publication issued a full-sized paper with twenty photographs.

But these papers have been produced at a desperately heavy price in human suffering. Something of the full tale of this price is indicated in these bare statements from the booklet. The personnel of *Pantagruel* were all arrested and executed. The editors of *Lettres Françaises* and the editor and staff of *Petites Ailes* and of *Libération* have also been executed. The editorial staff of *Humanité* has been executed and renewed three times in two years. Perhaps the saddest and at the same time the bravest news-sheet that has ever been issued anywhere is *Le Patriote*. This paper, it is recorded, "is compiled in camps for those condemned to death and is written entirely by hand, each copy being in a different handwriting." Now, on the soil of France liberated by the Allies, free newspapers can be published openly. They carry on a noble tradition.

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GENERAL
ACCESSIONS
TO THE
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ART AND BIBLIOGRAPHY : BRITISH LIBRARY.
MUSEUM, "General Catalogue of printed books" (New edition of which the first volume appeared in 1931), vol. 37 (Chic-Chur), 8vo ; BIBLIOGRAPHIC INDEX : a cumulative bibliography of bibliographies, 1943, edited by B. Joseph," 8vo ; BOOK PRICES CURRENT : vol. 57, October, 1942 to August, 1943, 8vo ; BOOKMAN'S HOLIDAY : "Notes and Studies written and gathered in tribute to Harry Miller Lydenberg," 8vo ; BRANGWYN (Sir Frank), "Brangwyn Talks by W. de Belleroche (The artist on his life's work)," 8vo ; CUSHING (Harvey), "A bio-bibliography of Andreas Vesalius (Illus.)," 8vo ; CUSHING (H.), "The Harvey Cushing collection of books and manuscripts," 8vo ; GOLDEN COCKEREL PRESS, "Pertelote : a sequel to Chanticleer : being a bibliography of the Golden Cockerel Press, October, 1936, April, 1943," 8vo ; GOLDSCHNEIDER (Ludwig), "Leonardo da Vinci (the Phaidon Press)," 8vo ; HAZEN (A. T.), "A bibliography of the Strawberry Hill Press, with a record of the prices at which copies have been sold . . . with a bibliography and census of the detached pieces," 4to ; LEONARDO DA VINCI, with 200 illustrations including 150

reproductions in photogravure and 18 in full colour," 4to (this is a book by Leonardo containing reproductions of all his paintings) ; LETAROUILLY (Paul), "Edifices de Rome Moderne (The Renaissance buildings of Rome, 354 plates)," folio ; LEEDS (E. T.), "Celtic ornament in the British Isles down to A.D. 700," 8vo ; PUYVELDE (Lee Van), "The Dutch drawings in the collection of H.M. The King at Windsor Castle," 8vo ; PISSARRO (Camille), "Letters to his son Lucien. Edited with the assistance of his son by John Rewald, translated from the French by L. Abel," 8vo ; SINGER (Hans), "Die moderne Graphik : eine Darstellung fur deren Freunde und Sammler," (Leipzig, 1914), 4to ;

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Wednesday, 11th October, 1944. "Macbeth," by H. B. Charlton, M.A., Professor of English Literature in the University of Manchester.

Wednesday, 8th November, 1944. "The Life of Jesus: a Survey of the Available Material. (3) The Work of St. Luke," by T. W. Manson, M.A., Litt.D., D.D., Rylands Professor of Biblical Criticism and Exegesis in the University of Manchester.

Wednesday, 13th December, 1944. "Forethoughts on Later Greek Comedy," by T. B. L. Webster, M.A., F.S.A., Hulme Professor of Greek in the University of Manchester.

Wednesday, 10th January, 1945. "The Tercentenary Commemoration of the Execution of Archbishop William Laud, beheaded on Tower Hill, January 10th, 1645," by The Rev. John R. H. Moorman, B.D., Emmanuel College, Cambridge.

Wednesday, 14th February, 1945. "Lollardy in the Fifteenth Century," by E. F. Jacob, M.A., D.Phil., Professor of Medieval History in the University of Manchester.

Wednesday, 14th March, 1945. "Psychological Implications of the Culture-Pattern Theory," by T. H. Pear, M.A., B.Sc., Professor of Psychology in the University of Manchester.

Wednesday, 11th April, 1945. "The Development of the Pentateuch," by Edward Robertson, D.Litt., D.D., Professor of Semitic Languages and Literatures in the University of Manchester.

The following is a list of recent publications, consisting of articles which have appeared in preceding issues of the BULLETIN:—

"Poetry and Truth: an Aspect of Browning's Ring and the Book." By H. B. Charlton, M.A., Professor of English Literature in the University of Manchester. 8vo, pp. 15. Price eighteenpence net.

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"François Villon at St. Benoît." By Edward F. Chaney, M.A., Headmaster of Manchester Central High School. 8vo, pp. 18. Price one shilling net.

"A New Cyprian Fragment." By M. Bévenot, S.J., Professor of Theology, Heythrop College, Chipping Norton. 8vo, pp. 8. Price one shilling net.

- "The Place of the Small State in the Political and Cultural History of Ancient Mesopotamia." By T. Fish, Ph.D., Lecturer in the Semitics Department of the University of Manchester. 8vo, pp. 18. Price eighteenpence net.
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- "The Life of Jesus: a survey of the available material: (2) The Foundation of the Synoptic Tradition: Mark." By T. W. Manson, D.Litt., D.D., Rylands Professor of Biblical Criticism and Exegesis in the University of Manchester. 8vo, pp. 20. Price eighteenpence net.
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- "Samuel and Saul." By Edward Robertson, D.Litt., D.D., Professor of Semitic Languages and Literatures in the University of Manchester. 8vo, pp. 34. Price eighteenpence net.
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SAADYA'S CONCEPTION OF THE LAW.

By DR. ALEXANDER ALTMANN.

SAADYA B. JOSEF AL-FAYYŪMĪ (892-942), the inaugurator of medieval Jewish scholasticism, was the first to divide the body of the Biblical laws into two distinct classes, those demanded by Reason and those which derived their authority from Revelation only.¹ This distinction holds an important place in the history of Jewish philosophy, and, as we hope to show, in the history of European "enlightenment" in general. We propose to analyse Saadya's conception with a view to determining more exactly its historical position.

Saadya's theory must be viewed against the background of Islamic "Aufklärung" in the tenth century. Outwardly considered, it looks like a compromise between the positions of the Ash'ariya and Mu'tazila. The Ash'ariya, clinging to the mystical concept of the Kuran and stressing its eternity and Divinity (in analogy to the Christian Logos), would not allow Reason to judge the Divine Law. The laws prescribed by the Kuran are the outflow of God's arbitrary will. They are not to be measured by rational standards. If God had willed, he could have given an entirely different Law. The Mu'tazilites rebelled against such tyranny of the idea of Revelation. They proclaimed Reason the sole arbiter over the validity of the Law. A law was good, not because it was revealed by God, but it was revealed by God because it was good, an utterance which echoes the deepest sentiments of Greek thought.² Moreover, it is in full accord with the Greek

¹ The rational laws are termed **שכליות** (Hebr.), the revelational laws **אמנאות** (Hebr. **شم羞ות**). Cf. *Kitâb al-Amânât wa'l-I'tiqâdât*, ed. S. Landauer, Leiden, 1880 (quoted as *Amânât*), pp. 114 ff. (in Judah ibn Tibbon's Hebrew Version, סְפַר הָאֲמָנוֹת וְהַדּוֹעָות, ed. Slucki, Leipzig, 1864, pp. 59 ff.); *Version Arabe du Pentateuque* (quoted as *Pent.*), ed. J. Dérenbourg, Paris, 1893, pp. 3-4; *Version Arabe des Proverbes* (quoted as *Prov.*), ed. J. Dérenbourg-M. Lambert, Paris, 1894, pp. 3-4. For the literature on the subject see H. Malter, *Saadia Gaon, His Life and Works*, Philadelphia, 1921, p. 208, n. 479.

² Cf. I. Goldziher, *Vorlesungen über d. Islam*², 1925, pp. 98-101; A. J. Wensinck, *The Muslim Creed*, 1932, pp. 214-215.

notion of Natural Law which, in its Stoic form, exercised a profound influence on the Mu'tazilite schools.¹ Saadya, in dividing the rational and purely revelational laws, and recognising both, seems to have steered a middle course in this great Islamic controversy.² But his attitude was necessitated not so much by a tendency to compromise as by the character of the Biblical Law which so clearly showed the two separate aspects of morality and ritual. Saadya, who, as a teacher of the Law accepted it in its entirety, had to draw a distinction between the rational and revelational laws. Whereas Philo could do without such a distinction, applying as he was an allegorical meaning to the ritual laws of the Torah, Saadya, who would not indulge in an allegorical interpretation of the ritual laws, had to resort to this distinction, once he accepted the Mu'tazilite principle that Reason was a standard by which to measure the Law. His task, then, was twofold : to show the rational character of the so-called "rational laws", and to interpret, within the context of a rational philosophy, the second class of laws, those of Revelation. The methodical problem arising out of his conception of the Law was that of the reconciliation of the two principles of Reason and Revelation.

(1) *The "rational Law".*—Saadya's exposition of the rational Law is not of one piece. There are inconsistencies, and, as I have been able to show in a recent study,³ Saadya must be presumed to have dealt with the matter in two separate "versions", in a pure Mu'tazilite form, and, in addition, from the background of Plato's Psychology and Ethics. But despite this double line in Saadya's conception there remains the outstanding fact that to him Reason dictated a system of laws on its own ground and, logically, prior to Revelation.

(a) *The Mu'tazilite exposition of "rational Law".*—Saadya enumerates three distinctly rational laws ; those of gratitude,

¹ Cf. H. H. Schaeder in *ZDMG* (1925), Vol. 79, pp. 193-197, in the name of L. Massignon.

² Cf. J. Guttmann, *Die Religionsphilosophie d. Saadia*, 1882, p. 133.

³ "Halukat ham-miqdot le-Rabbenu Saadya Gaon," in *R. Saadya Gaon*, ed. J. L. Fishman, Jerusalem, 1943, pp. 658-673.

reverence and social conduct, from which, in turn, he derives a large number of specified laws. The stereotyped formula used by him to introduce these laws is "Reason demands. . .".¹ God has implanted in our Reason the cognition of what is laudable and blameworthy with regard to our actions. It is most significant that the list of these "rational" laws is headed by the example of gratitude, which Saadya regards as the root of all forms of religious devotion. In the controversy between Mu'tazila and Ash'ariya, "gratitude" is the classical example adduced by the Mu'tazila in order to demonstrate the rational character of moral cognition.² The fact that Saadya opens his exposition of the rational laws by citing the example of gratitude is important, not only because it illustrates the extent to which Saadya is under the spell of Mu'tazilite thought, but also because it sheds light on the meaning of this multi-coloured term, "Reason" ('aql). Reason demanding gratitude can only mean a natural moral instinct, not Reason in any sense of logic. This is exactly the Mu'tazilite conception of Reason as an organ of moral judgment. It denotes "man's natural gift, his mental equipment by birth" (*fîtra*),³ and is tantamount to the Stoic notion of man's nature of Reason. It expresses, as Wensinck has explained, the Mu'tazilite doctrine of natural religion. Every child is, according to this doctrine, a Muslim by birth, granting that Islam is a rational religion.⁴ In stating that God has implanted the cognition of certain moral values in Man's Reason,⁵ Saadya clearly expresses the same idea. There seems to be no clash, in this view, between Nature and Reason. The example

¹ العقل يوجب (Hebr. מחייב) (*השכל מחייב*) Cf. *Amânât*, pp. 113-114 (pp. 58-59).

² Cf. Al-Sharastâni (ed. Haarbrücker), I, pp. 41, 44, 59, 72, 74, 82, 110, 356; M. Horten, *Die phil. Probleme d. Spekulat. Theologie i. Islam*, 1910, p. 257; Guttmann, *l.c.*, p. 133, n. 2.

³ Cf. Wensinck, *l.c.*, pp. 214-215, 261; H. Malter, "Mediaeval Hebrew Terms for Nature," in *Judaica, Festschrift z. H. Cohen's 70. Geburtstag*, 1912, pp. 253 ff.

⁴ Cf. Wensinck, *l.c.* In another tradition *fîtra* denotes the pre-Islamic religion which has its origin in the revelation to Adam. Cf. Wensinck, *l.c.*

⁵ Cf. *Amânât*, p. 115. وكل من هذه مأمور به غرس في عقولنا استحسانه : وكل عن عين مالحة شمّاظة : (p. 59) وكل من هنا نهى عنه غرس في عقولنا استقباحه (בו נטע בשכלתו טובתו, וכל עין מהם שהויר מטע נטע בשכלתו שווון).

of gratitude (which is also frequently quoted in Karaite literature),¹ makes it obvious that Saadya shares the Mu'tazilite notion of *fîra*. Reason and Nature are one. God has "implanted" moral cognition in our reason, a sentence which recalls John of Damascus' saying—also profoundly echoing the Stoic view—that in following our nature we follow God, who implanted the cognition of the moral order in it.² Saadya is here in perfect agreement with the basic outlook of both Stoa and Mu'tazila. He even outbids the Mu'tazila by placing the moral cognition of Reason on one plane with the logical axioms. In his doctrine of the "Roots of Knowledge"—perhaps the first attempt of this kind in Islamic Philosophy³—he declares the moral judgment ("Truth is good and Untruth is blameworthy") to be of the same primacy and immediacy as the axioms of logic.⁴ Al-Baghdâdi, who also attempted a classification of the Roots of Knowledge, did not accept this view. To him logic truth was a primary cognition, whereas Reason (*'aql*) and the Law (*shar'*) were only secondary and acquired.⁵ Saadya gives the truth of Reason (both logical and moral) the same immediacy as sense perception.⁶ Although he does not share the platonic idea of *anamnesis*,⁷ he believes in an intuitive capacity of the soul to grasp the truth of Reason. Learning and research have only the function of removing, as it were, the veil which hides the truths of Reason from our faulty understanding. When all the obstacles are removed, truth stands fully revealed before Reason.⁸

(b) The "Platonic" exposition of the Rational Law.—In addition to this outspoken Mu'tazilite exposition of the rational laws, Saadya turns, in a second paragraph, to a different kind of treatment of the same subject. Instead of stating categorically that such and such laws are demanded by Reason, he now employs dialectical arguments to prove the rational character of these

¹ Cf. Martin Schreiner, *Studien über Jeschu'a ben Jehuda*, 1900, pp. 55-56, 67.

² John of Damascus, *De Fide Orth.* (ed. Migne, Vol. XCLIV, col. 972 seq.), cited by Wensinck, *l.c.*, p. 216.

³ Cf. Wensinck, *l.c.*, p. 251.

⁴ *Amânât*, pp. 13 (7); 107 (55); cf. Aron b. Elia, *'Eṣ Hayyim* (ed. Delitzsch), 1841, p. 103; for a treatment of the subject see A. Heschel in *JQR*, N.S., Vol. 33, pp. 227 ff.

⁵ Cf. Wensinck, *l.c.*, pp. 253-254.

⁶ Cf. *Prov.*, p. 9.

⁷ Cf. Malter, *l.c.*, p. 225, n. 504; my article, *Halukat*, etc., p. 663, n. 21.

⁸ Cf. *Prov.*, p. 9.

laws.¹ The arguments tend to show the destructive effects of evil action. Homicide must be prohibited because it runs counter to the very purpose of creation ; adultery must be forbidden because it disrupts the social structure of the family ; theft and robbery, because they undermine the economic basis of society ; untruthfulness, because it destroys the harmony of the soul. The dialectical character of Saadya's argumentation becomes even more outspoken in combating the doctrine of Hedonism. Here we stand solidly on platonic ground. Not only was Plato's ethics actually evolved in a constant struggle against the hedonistic position—to a certain extent never entirely discarded in Plato's own views²—but Saadya's argument is literally taken from Plato ; the pleasant (*ἡδύ*) cannot be made the criterion of the good, because the pleasant of to-day turns into the unpleasant of to-morrow.³ Saadya sees the function of Reason in the foresight of what follows from evildoing.⁴ Pleasure and pain are mixed in the evil act like poison and honey.⁵ But, whereas Plato establishes the contradiction between *λύπη* and *ἡδύ* in the person of the evil-doer himself, Saadya demonstrates it also by reference to the I-Thou relation. What is pleasant to the Ego is, in the case of evil, unpleasant to the neighbour on whom the evil is inflicted. One may say that Saadya shows himself inspired by the social element of Jewish ethics as against the basically hedonistic principle of Greek morality.

The stereotyped formula used in this second exposition of the rational laws is no longer the Mu'tazilite phrase "Reason demands . . ." but, "Wisdom suggests. . .".⁶ This change of terminology is highly significant. It can be traced to Saadya's psychology and ethics (chs. 6 and 10), where the term Wisdom is equivalent to the platonic term *λογιστικόν*,⁷ as the ruling and

¹ *Amânât*, pp. 115 ff. (59 ff.).

² Cf. Constantin Ritter, *The Essence of Plato's Philosophy* (translation by A. Alles), p. 44.

³ *Amânât*, pp. 116 (60) ; 285 (146) ; *Prov.*, p. 7 ; Plato, *Gorgias*, 493E-494C ; *Phaedon*, 60 B-C ; *Phaedros*, 258E ; *Politeia*, 583B-584C ; 505C-D. See D. Rau, "Die Ethik R. Saadjas," in *MGWJ*, 1912, pp. 74-79.

⁴ Cf. *Prov.*, pp. 2-7.

⁵ *Amânât*, p. 116 (60) ; *Prov.*, p. 7.

⁶ *חכמה* (Hebr. חכם) *מן* (from).

⁷ *(כח ההכרה)* *قوة التمييز*. Cf. *Amânât*, pp. 195 (98) ; 284 (175).

judging faculty in the triad of the soul.¹ Saadya fully adopts Plato's psychology (in ch. 6), and in an Appendix to the book (ch. 10) ² Plato's ethics as well. Whereas Maimonides, later, accepted Aristotle's Principle of *mesotes*, Saadya accepts the more flexible notion of justice as the chief virtue. Wisdom is the judging and ruling principle which gives every part of nature its due and thus establishes the harmony of the soul.³ The laws are, in this light, the guides to wisdom, or rather the products of wisdom, since, like Plato,⁴ Saadya sees in the state an image of the soul. It is the function of wisdom to create harmony both in the individual soul and in society.⁵ Its instruments are the laws.

This is no longer the Mu'tazilite idea of Reason and Nature in a state of automatic harmony, but a more realistic one viewing Reason in a perpetual struggle against the irrational forces of the soul. In his "Commentary on Proverbs", Saadya reflects this platonic view when he speaks of the eternal conflict between Nature and Reason, a conflict which compels the latter to seek all kinds of devices against the "indolence" and "greed" of Nature.⁶ Whereas in his philosophical work he adopts, in addition to the *λογιστικόν* also the *θυμοειδές* and *ἐπιθυμητικόν* of Plato's Psychology,⁷ he replaces here the *θυμοειδές* by its opposite, "indolence". But the *λογιστικόν* retains even here its chief function, that of judge and ruler.⁸ Although the term "Reason" is re-introduced, it is clear that it must not be confused with the Mu'tazilite meaning of the term. How does Reason induce the recalcitrant forces of nature to follow the right path? Here the function of "images" and "parables" such as occur in the Bible comes in. An image is of value, because it expresses an idea of Reason in terms of nature, i.e. of sense

¹ Cf. my article *Halukat*, etc., pp. 667-668.

² On the relation of Ch. 10 to the rest of the book, cf. Landauer in his introduction to the *Amānāt*, p. xx; Rau, l.c., p. 198; Guttman, l.c., pp. 258 n. 1; Julius Guttman, *Philosophie d. Judentums*, p. 81.

³ *Amānāt*, pp. 282 ff. (144 ff.); *Prov.*, p. 2.

⁴ *Politeia*, 441C-443B.

⁵ *Amānāt*, pp. 282-283 (144-145); 305 (155).

⁶ Cf. *Prov.*, pp. 1-7. See also Erwin I. J. Rosenthal, "Saadya Gaon: An Appreciation of his Biblical Exegesis," in *Bulletin of the John Rylands Library*, Vol. 27, No. 1.

⁷ Cf. *Amānāt*, pp. 195 (98); 284 (145).

⁸ *Prov.*, pp. 2ff.

perception. Reason by itself, Saadya says, could not move and stir man's nature. But the language of images does, because it is in itself an expression of nature.¹ If a modern analogy may be drawn, this is exactly Jung's view as to the nature of the symbol. Instead of Nature and Reason, Jung speaks of the conscious and unconscious, but his view is substantially the same: only symbols and images as the products of the unconscious are able to transform libido.²

Despite the inconsistencies between the Mu'tazilite and the platonic approach, the common denominator is the idea that the faculty of Reason is self-sufficient to establish certain laws which lead man and society to a state of harmony in accord with Reason. The Mu'tazilite approach leads Saadya to the notion of natural law, the platonic approach to a kind of autonomous ethics.

(2) *The Revelational Laws*.—Saadya's attitude towards the ritual laws of the Torah is determined by his rationalistic attitude in general. His aim is to discover rational aspects of these laws, too, so far as human intelligence can penetrate the designs of Divine wisdom. In trying to lay bare such rational motives in this part of the Divine legislation, Saadya is all the time conscious of the conjectural character of his enterprise, and reminds both himself and the reader repeatedly that "God's wisdom is superior to ours". Nevertheless, he takes care to find out "the usefulness" of these laws which, viewed from the standpoint of Reason, seem to have no rational significance at first sight. Saadya's conclusion is, that, in a relative sense, even these laws are rational if we call purposiveness for human ends rational³.

In analysing the meaning of the second group of laws, Saadya avoids both the allegoristic method of Philo⁴ and the method

¹ *Prov.*, p. 5; on pp. 13-15, Saadya describes four types of "parables".

² Cf. K. Keller, *C. C. Jung's Philosophie auf der Grundlage seiner Tiefenpsychologie*, 1937, p. 31.

³ Cf. *Amânât*, p. 118: وعلى هذا المثل اذا تبع اكتر هذه الشرائع السمعيات: وعلى זה הדמיון: (p. 61) يوجد لها من شب التعليل ومنافع التسبيب شيء كثير כאשר יחקרו רוב המצוות האלה השמיעות ימצא להם מן סעיפים העיליה ותועלותיה דברים רבים; see also *Amânât*, p. 115 (59).

⁴ For an appreciation of Philo's method, see E. R. Goodenough, *By Light, Light: The Gospel of Hellenistic Judaism*.

of "Religionsgeschichte" later adopted by Maimonides.¹ He approaches his problem from a practical point of view and brings a wealth of psychological insight to bear on it. He enumerates and expounds briefly the following laws: holy seasons; holy persons; dietary laws; prohibition of incest; laws of purity.² The holy seasons of the year, he says, are intended to enable man to abstain from work and to devote himself entirely to the spiritual side of life. They also help to promote human fellowship on the ground of common spiritual ideals. The institution of priesthood aims at training religious leaders able to guide men and to instil a sense of religious values in them. In times of distress these religious leaders will invoke, by prayer, Divine help on behalf of their people; they will provide models of character and piety which their flock will seek to imitate. Saadya describes here what Max Weber would call a "charismatic personality". It is remarkable that he sees the chief value of the priest not in his ritual work, but in his social function. Most interesting is Saadya's interpretation of the dietary laws. A number of animals, he says, are designated as unclean in order to eliminate from the minds of people the idea of these animals being divine. This is, in a sense, a most striking anticipation of the totem theory of modern ethnologists.³ But whereas the modern ethnologist explains the prohibition to eat the meat of a totem animal by reference to its sacred character—the animals forbidden in the Torah are said to have been the totems of ancient Hebrew clans⁴—Saadya holds the reverse to be true. He adds that the fact that certain animals were selected for food was again intended to combat the deification of animals.⁵ No less interesting is his

¹ On Maimonides' theory and its historical importance, see Julius Guttmann, "John Spencers Erklärung der biblischen Gesetze in ihrer Beziehung zu Maimonides," in *Festskrift af Professor David Simonsen*, Copenhagen, 1923; Leo Strauss, *Die Religionskritik Spinozas*, Berlin, 1930.

² *Amânât*, pp. 117-118 (60-61). In *Prov.*, p. 11, he enumerates purity, sacrifice, holy seasons.

³ Cf. Andrew Lang, *The Secret of Totem*, 1905; J. G. Frazer, *Totemism and Exogamy*; S. Freud, *Totem and Taboo* (transl. by A. A. Brill).

⁴ L. B. Paton, "Early Hebrew Ethics", in *The Evolution of Ethics*, 1927, p. 166.

⁵ Deified animals were, however, used as food, as the history of primitive religion shows. Cf. Bertholet-Lehmann, *Lehrbuch d. Rel.-Gesch.* I, p. 91.

exposition of the "usefulness" of the laws prohibiting incest; sexual relations between blood relatives are forbidden because the natural social intimacy between such relatives would inevitably lead to sexual licence if no strict prohibition of sexual intercourse between such relatives existed. Here, again, the analogy to the findings of modern psychology cannot be overlooked. Freud's idea of "Inzestschranke" leaps to the mind.¹ Finally, Saadya explains the laws of purity which enforce certain periods of abstinence by reference to the biological and psychological law of periodicity and rhythm; a period of abstinence will enhance a man's appreciation of the blessings of life.

This list does not exhaust Saadya's view of the irrational laws. He is emphatic that man's actions have an influence on the condition of his soul, for good or for evil. He conceives of the soul as a substance of light which may become either dimmed or purified by man's action.² Man is unable to tell precisely which action has a salutary, and which a damaging effect upon the soul, for the soul is invisible. But God, who is the maker of the soul, knows best what is good and evil for its happiness and perfection. From this point of view Saadya calls the sins "the illnesses of the soul", and the whole body of divine laws becomes, in this sense, a system of mental hygiene.³ Its purpose is the well-being and happiness of man.

(3) *The Necessity of Revelation.*—So far as the second group of laws is concerned, the necessity of Revelation is no problem. Since they are indifferent to Reason—except to a tentative inquiry as to their "usefulness"—they depend entirely on Revelation. But was there any need to reveal the rational laws which human Reason could have established by its own effort, unaided by Revelation?

Saadya was faced with this problem not merely as a logical sequence of his conception of "rational law", but also for

¹ Cf., in particular, Freud's *Totem and Taboo*, where the complicated social system of primitive society is explained by reference to the need for separation of blood relatives in order to avoid sexual licence.

² *Amânât*, pp. 165-167 (84-85). Cf. Guttman, *Religionsphilosophie d. Saadia*, pp. 175-177.

³ *Amânât*, l.c.—Jung calls Dogma and Ritual "methods of mental hygiene." Cf. C. C. Jung, *Psychology and Religion*, p. 53.

reasons of apologetics. "I must explain", he says, "why there was a necessity to send Prophets. For I have heard that there are people who contend that men do not need Prophets, and that Reason is sufficient to guide them on the path of good and evil."¹ Saadya refers here to the doctrine of the Brahmins (Barhamiyya) which is frequently reported in both Islamic and Karaite sources² to have rejected, on the grounds of "natural religion", all sorts of prophetic (revealed) religion.³ Saadya, who himself identified the "rational laws" of the Torah with the laws of "natural religion", could not have ignored the blunt rejection of Revelation by the Brahmins. What was his answer? Apart from the direct answer which he gave to the followers of the Brahminic doctrine, there are two more attempts on his part to grapple with the problem. All three answers reflect, in a high degree, Saadya's basic attitude of "enlightenment".

(a) In his refutation of the Brahmins⁴ Saadya points out that human Reason is only able to establish ethical standards, but not to determine the details of right and wrong, good and evil. In other words, Reason is insufficient to frame a legal code, to fix concrete laws. Here, Revelation comes in. It teaches man not only the idea of divine worship, but gives rules as to the right times and forms of prayer. It not only forbids sexual licence, but lays down definite laws as to what constitutes legal marriage, etc. It not merely prohibits theft, but establishes laws which regulate the conditions of ownership, inheritance, commercial dealing, etc. Here Saadya must have had in mind Aristotle's distinction between natural and legal justice, the one being everywhere the same and not dependent on human opinion, the other deriving its authority from the fact of its enactment; or, in yet another formula, the distinction between the universal

¹ *Amānāt*, p. 118 (61).

² Al-Sharastānī (ed. Haarbr.), II, pp. 356-357; Wensinck, l.c., p. 261; Aron b. Elia, 'Eṣ Ḥayyim (ed. Delitzsch), pp. 160-161; Aron b. Josef, *Sefer ham-mibḥar*, *Yetro*.

³ Saadya knows also of another version of the doctrine of the Brahmins, that which accepts the Revelation to Adam, but rejects all later prophecy. Cf. *Amānāt*, p. 139 (71); Wensinck, l.c., p. 261; P. Kraus, *Beiträge z. islam. Ketzer-geschichte*, 1934, pp. 31 ff., 48 ff.; S. Pines, *Beiträge z. islam. Atomenlehre*, 1936, p. 121, n. 1.

⁴ *Amānāt*, pp. 118-119 (61-62).

law of nature ($\delta\ \kappa\alpha\tau\alpha\ \phi\gamma\sigma\iota\nu\ n\omega\mu\sigma$; $\delta\ \kappa\omega\nu\delta\ n\omega\mu\sigma$) and the particular law of each country ($\delta\ \iota\delta\iota\omega\ n\omega\mu\sigma$).¹

Saadya accepts this distinction, which both in Aristotle's and in his case, flows from the conception of natural law,² but he does so with this remarkable difference: he assigns the establishment of the "legal law" to Revelation.³ He feels that to rely on mutual agreement is futile. In echoing Aristotle's phrase of laws based on agreement, he makes the ironical remark that people never agree.⁴ The conception of "conventional laws" thus falls to the ground. It is replaced by the prophetic law of Revelation.⁵ The Prophet is the authoritative legislator of the ideal state, which, to Saadya, is the theocracy of the Bible.

(b) A second answer which Saadya puts forward more or less incidentally, but which, nevertheless, is deeply rooted in his system of thought, runs like this: mankind would have been able to evolve a code of moral laws based on Reason; but we have to admit that such a process would have taken some considerable time. For this reason, God revealed the rational law as well, and thus enabled mankind to follow the right path in obedience to the revealed law which, later, it would have been able to discover by the effort of its own Reason.⁶

This answer does not seem quite consonant with the notion of natural law, since the idea of natural law places the perfect moral condition precisely in the original state of mankind from which the future progress of history is more or less a retrogression. Saadya's answer does, however, agree with the second "version"

¹ *Eth. Nic.*, V, 1134b; *Rhetoric*, I, 13, 2.

² Cf. J. A. Stewart, *Notes on the Nicomachean Ethics of Aristotle*, 1094b; R. Hirzel, "Agraphos Nomos," in *Abh. d. Sächs. Ges. d. W. phil.-hist. Kl.*, XX, I.

³ (p. 62: **فَاتَ الرَّسُولُ فِي كُلِّ بَابٍ مِنْهُ بِمِنْصَفِ قَاطِعٍ**: **וּבָאוֹ הַנְּבִיאִים בְּכָל שָׁעֵר מְהֻם בְּדַעַת פּוֹסֵק** (גּוֹלֶן) **حَذَّ**). *Amânât*, p. 119: The detail fixed by Divine Legislation is termed.

⁴ *Amânât*, pp. 119-120 (62).

⁵ In *Pent.*, p. 4, Saadya emphasises that even the Torah does not settle every detail of right action but leaves a great deal to the oral law. He mentions the times of prayer, the prescribed amount of charity and the categories of work which are forbidden on the Sabbath.

⁶ *Amânât*, p. 113 (58).

of his theory of the rational law, namely, that which is moulded by the platonic outlook, and views the moral task as a conflict between Nature and Reason. It is, then, the force of nature which impedes moral progress. Mankind has to free itself from its disturbing influence in order to attain both intellectual and moral perfection.¹ The same irrational factors of nature which hinder the progress of intellectual cognition and are the sources of errors and doubts, also stand in the way of moral perfection. By overcoming them man is able to arrive at the truth and at the perfection of his soul. Revelation, in its rational aspects, does not teach anything different from Reason, but simply anticipates the final result of the strides made by Reason in its struggle against nature. It is, therefore, not a source of knowledge contrary to Reason, but the affirmation of Reason and the path leading to it. In a sense, it has an educative function ; it trains mankind to grasp the light of Reason which God has kindled in their souls.

The parallel of Lessing's theory of natural religion is very striking indeed. Lessing solves the tension between Reason and Revelation by applying Leibnitz's conception of evolution to history. The education of the human race to the self-consciousness of autonomous Reason can be achieved only through the instrumentality of positive religion as a stage preparatory to pure humanism. Revelation is necessary for the "Erziehung des Menschengeschlechts".²

(c) Saadya's third answer is outlined in his Introduction to the chapter on the Law.³ It has a theological depth which the other answers, in their purely philosophical outlook, do not possess. What is the purpose of the Law? Saadya asks. Could not God have given us eternal blessedness even without the Law? Is not the gift of Grace higher than the gift of the Law which is bound up with the notion of reward and punishment? His answer is that man's happiness is greater when his own action has merited the blessings granted to him. To be a recipient of pure grace cannot make him equally happy. For

¹ Cf. *Amânât*, pp. 2-4 (2-3); 26-29 (13-14); *Prov.*, pp. 2-5.

² Cf. The article, "Natürliche Religion u. Theologie," in *RGG*, Vol. 4.

³ *Amânât*, pp. 112-113 (58).

this reason God, in His infinite love of man, gave him the Law. It enables man to feel that his happiness is a blend of grace and merit. In this sense the Law is a creation of God's love.

Saadya's theological position, though deeply rooted in Jewish thought,¹ is not unrelated to the Islamic controversy about the Law. That controversy concerned also the relation between obligation (*taklif*) and reward. Orthodox Kalam contended that prior to Revelation no moral obligation existed. A person whose life conformed to the moral standards of Reason had, prior to Revelation, no claim to reward. God could only bestow grace upon him. The Mu'tazila held that both obligation and reward were independent of Revelation.² Saadya taught that, on the one hand, moral obligation was independent of Revelation,³ but that, on the other hand, reward was only possible after Revelation.⁴ It is God's act of Revelation which holds out the promise of reward to man. Without Revelation only grace is possible. The love of God thus endows man, through the Law, with the promise of reward. For this reason God included in the Law not only the ritual laws, but also those of Reason, although they were valid even prior to Revelation. By giving them a place in the Law God increased man's scope of religious action. He stamped them, as it were, with the seal of religious laws. Here, according to Saadya, lies the necessity of including the rational laws in Revelation. It is a necessity of the order of grace. At the same time it becomes possible to attribute a rational aspect to the ritual Law as well. Apart from its intrinsic value (its "usefulness") it enables man to serve God in obedience to His will and thus increases man's claim to happiness. Saadya calls,

¹ Saadya's words seem to paraphrase R. Ḥananya b. Akashya's well-known saying, "The Holy One, blessed be he, was pleased to make Israel worthy, wherefore he gave them a copious Torah and many commandments . . ." (*Mishnah Makkot*, end).

² Cf. Wensinck, *l.c.*, pp. 261-263.

³ *Amānāt*, p. 133 (68); Saadya makes this point very clear. His determined stand for the rational principle in Ethics has earned him the warm approval of Hermann Cohen. Cf. H. Cohen's *Jüd. Schriften*, I, p. 289.

⁴ *Amānāt*, p. 155 : ان فعل طاعته وهو غير مأمور كم يكن له عليه نواب : (כִּי אֵם יַעֲבֹד אֶתְנוֹ וְהוּא בְּלֹתִי מְצֻחָה לֹא יִהְיֶה לוֹ גָּמָל : (p. 79).

under this aspect, the group of ritual laws, laws of "Service".¹ The body of divine legislation therefore comprises (a) rational laws, (b) laws of Service, but, as pointed out before, the rational laws themselves assume the character of laws of Service by virtue of the fact that they are included in the Revelation.²

In attempting an appreciation of Saadya's theory of the Law the various components of his conception must be considered separately. (a) As a protagonist of the doctrine of natural Law Saadya followed a tradition which was not entirely alien to the Jewish heritage. Professor Heinemann has shown that in certain utterances of Rabbinic literature there is reflected the influence of the Greek distinction between the written and unwritten Law.³ In addition, Philo's conception of Torah as an image of the Higher Law of Nature (Logos) bears also witness to some earlier influence of the Greek conception on Jewish thought.⁴ Saadya's theory which, as we have seen, springs mainly from Islamic sources, helped to introduce the doctrine of natural Law into medieval thought. It is an important milestone on the road that leads from the Stoic conception of natural Law over Justinian's *Institutes* to Hugo Grotius' *De Jure Belli et Pacis*. In its uncompromising rationalism it is a most remarkable expression of the spirit of "Aufklärung" with its belief in the constancy of Reason.

¹ Cf. *Amānāt*, p. 115 (59). The obscure passage, *i.c.*, لموضع العبودة بذلكى because of the service performed thereby, must be translated, ". . . because of the service performed thereby. Thus the second class [of laws] is joined to the first class".

² Cf. p. 120, line 3, where ibn Tibbon (p. 62) translates it by בעבור . . . Guttmann, *loc. cit.*, p. 136, misunderstood as "Service of God". For an elucidation of the general meaning of the passage cf. Guttmann, *i.c.*; Rau, *i.c.*, p. 186, n. 3.

³ Cf. *Amānāt*, p. 311: وهي ان العبادة هي جميع الشرائع العقلية والسمعية : (כ"י העבודה היא בכל המצוות השליליות והשמיעיות).

⁴ Cf. I. Heinemann, *Die Lehre v. Ungeschriebenen Gesetz im Jüd. Schrifttum*, *HUCA IV*, 1927, pp. 149 ff. See also F. Perles, *Judaica, Festschrift H. Cohen*, pp. 103 ff.

¹ This has been clearly shown by E. R. Goodenough, *i.c.*

Maimonides rejected Saadya's term "rational Laws".¹ He felt that Reason was only concerned with the categories of true and false, not with those of good and evil. To him the laws of ethics were only conditioned by man's needs as a social being. He would not call them "rational" but, in translating Aristotle's term *τὰ ἔνδοξα*, "generally believed".² Aristotle, though he distinguished between contemplative and practical reason, scientific and moral truth,³ unhesitatingly called the faculty of moral cognition one of Reason (*νοῦς*). The phrase *κατὰ λόγον*, which so often occurs in his *Ethics*, also most probably means "rational ground, course of reasoning".⁴ In the same way, both Al-Fārābī and Avicenna used the term Reason ('*aql*) both for the contemplative and practical intellect.⁵ In rejecting the term "rational laws" Maimonides thus outbid his master Aristotle. But whilst he denied the right of calling the moral legislation of the Bible a rational one, he agreed with Saadya that there exists a distinction between the two classes of Law, and he did so with the clear understanding that this distinction has its precedent in those utterances of Talmudic literature which, as we saw, were influenced by the notion of natural Law.⁶

¹ Cf. *The Eight Chapters of Maimonides on Ethics* (ed. J. I. Gorfnkle), 1912, p. 36.

² Cf. *מיטרסטמהות אלמשהו ראת* (Hebr.). Cf. Maimonides, *Millot ha-Higgayon* (ed. Ventura), 1935, pp. 67-68; *Guide* (ed. Munk), I, 2 (Munk's note, p. 39); Abraham ibn Daud, *Emunah ramah* (ed. Weil), 2, 5, 2; Aron b. Elia, l.c., pp. 100-105; J. Guttman, *Die Religionsphilosophie*, d. Abr. i. Daud, 1879, p. 181, n. 1; S. B. Scheyer, *Das psychol. System*, d. Maimonides, 1845, pp. 23-26; 106-107.

³ Cf. *Eth. Nic.*, VI, 1139a-1142a. The meaning of the term *ἔνδοξον* in relation to A.'s ethics is discussed by L. H. G. Greenwood, *Aristotle Nicom. Ethics Book Six*, 1909. Reasoning *ἐξ ἔνδοξων* is dialectic. The most fundamental of all ethical principles can only be the most probable of *ἔνδοξα* on the subject. Cf. pp. 133-136.

⁴ Cf. the discussion between J. L. Stocks, *Journal of Philology*, XXXIII, 1914, pp. 182-194; *Classical Quarterly*, VIII, 1914, pp. 9-12; J. Cook Wilson, *Classical Review*, XXVII, 1913, pp. 113-117; summed up by W. D. Ross, *Aristotle Ethica Nicomachea*, 1925, note on 1095a, who suggests the rendering quoted above.

⁵ Cf. I. Madkour, *La place d'al Fārābī dans l'école phil. musulmane*, 1934, p. 137; A. M. Goichon, *Lexique de la langue phil. d'Ibn Sina*, 1938, p. 226; Scheyer, l.c., p. 25.

⁶ See reference in n. 3, p. 333.

Towards the close of the medieval period of Jewish philosophy, Saadya's and Maimonides' views were harmonised by Josef Albo (died 1444) in his great book on Jewish dogmatics, the *Sefer ha-'Ikkarim*. Albo distinguished between three classes of Law : the natural, conventional and Divine Law.¹ He may have been influenced by Thomas Aquinas, who distinguished between four kinds of Law : the eternal and natural on the one hand, and the human and divine on the other.² But the possibility cannot be ruled out that Thomas Aquinas himself was influenced by the controversy between Maimonides and Saadya. At any rate, his own conception of the four laws embodies the salient points made by these Jewish thinkers. The "lex eterna" is the divine reason which governs the world. Its reflection is the "lex naturalis" which corresponds to Saadya's notion of the rational Law. Its principles are unchangeable. The human Law gives these principles a determinate character. It is enacted by the state and fixes the details of right and wrong. It corresponds to Maimonides' conception of conventional Laws, and also echoes Saadya's description of Divine legislation. The divine Law, according to Thomas, has as its supreme purpose the eternal blessedness of man. Here, again, both Saadya and Maimonides had expressed the same view.

Whether or not Thomas Aquinas' theory of the Law is indebted to Jewish predecessors, it seems certain that Hugo Grotius was acquainted with the scholastic tradition of Judaism. He knew Albo's work and spoke highly of it.³ Like Albo, he distinguishes between three laws, the natural, human and divine. His definition of the natural Law follows closely the Saadyan pattern : "Natural Law is the dictate of right reason, indicating that any act from its agreement or disagreement with the rational nature of man has in it a moral turpitude or a moral necessity ; and consequently that such act is forbidden or commanded by

¹ Cf. *Sefer ha-'Ikkarim* (ed. Husik), I, pp. 2, 78 ff.

² Cf. I. Husik, "The Law of Nature, Hugo Grotius, and the Bible," in *HUCA* II, 1925, p. 393.

³ In his *Comm. ad. Math.*, 5. 20, he calls Albo "Judeorum acerrimi judicii" ; in his *Letters*, pp. 14 and 111, he advocated a translation of the *Sefer ha-'Ikkarim* (quoted by W. Schlessinger in his edition of the S.h.-I., 1844, p. xv, n. 2).

God, the author of nature.”¹ Furthermore, like Saadya, he distinguishes between those parts of the Bible which reflect the Law of nature and those which, though they are never at variance with the true Law of nature, nevertheless, are no proof of it, but proceed from the *will* of God. He reproves those writers who allege that the Old Testament in its entirety is proof of the Law of nature. But whereas Saadya tried to discover a certain degree of rational purpose even in the second class of laws, Grotius sharply distinguishes between the command and will of God, the latter being more or less arbitrary.² Although Grotius does not mention Saadya’s name, it can be claimed that, through the agency of Albo, Saadya indirectly exerted an influence on his thought. In a way, Saadya has thus a share in Hugo Grotius’ work, and, through him, in the rise of the Natural Law School which played such a vital part in the foundation of modern international law.

(b) In utilising the social philosophy of Plato for an interpretation of the Biblical laws Saadya initiated a tradition in Jewish philosophy which found its classical expression in Maimonides’ theory of the Prophet as the Law-giver and ruler of the ideal state. The philosopher-king replaced by the Prophet, this is the essence of Maimonides’ political thought.³ *In nuce*, this doctrine is already present in Saadya’s conception of the Law, if we consider the second “version” in which it is developed. As we have seen, Saadya conceives the divine legislation in terms of a state law enacted by divine authority. The Prophet becomes the law-giver of the ideal state. Like Maimonides, he distinguishes between two purposes of the Law: the ordering of human society and the perfection of the individual soul. But even more strongly than Maimonides, who was influenced by Aristotle’s ethics of *mesotes*, he follows Plato’s conception of the state as an image of the soul with justice as the chief virtue.⁴

¹ Hugo Grotius, *De Jure Belli et Pacis* (ed. W. Whewell), Cambridge, 1853, I, 1, p. 10.

² L.c., p. lxxii. Cf. Husik, *HUCA*, l.c., pp. 394 ff.

³ Cf. Leo Strauss, *Philosophie und Gesetz*, 1935, pp. 113 ff.; E. I. J. Rosenthal, “Maimonides Conception of State and Society,” in *Moses Maimonides*, ed. I. Epstein, London, 1935.

⁴ An analysis of the differences between Plato’s and Aristotle’s Ethics is given by H. W. B. Joseph, *Essays in Ancient and Modern Philosophy*, 1935, pp. 156-177.

The rational legislation of the Torah becomes, in this aspect, a kind of a state law based on the ruling capacity of "Wisdom" in the platonic sense of *λογιστικόν*.

It is not surprising that Saadya should have reflected platonic influence to such an extent seeing that the *Republic* and *Laws* of Plato were translated into Arabic by Honein ben Ishâq and his school as early as in the ninth century.¹ These writings began to exercise an influence on Islamic thought even prior to Al-Fârâbî.² The extent of this influence can be recognised in the political thoughts of Al-Fârâbî and Avicenna, as well as Maimonides.³ But, as we have shown, it is already reflected in Saadya's conception of the Law. As a pioneer of medieval Jewish scholasticism, who absorbed a variety of philosophical traditions, Saadya helped to create not only the medieval school of natural Law, but also the socio-political interpretation of Judaism. Whether this particular conception does justice to the nature of the Jewish Law, is a different question. Spinoza, who adopted it, regarded the Jewish legislation as a mere state law and concluded that the fall of the Jewish state meant the final abolition of the Jewish Law. Kant, who took his conception of Judaism from Spinoza—a fact recorded and deeply regretted by Herman Cohen⁴—describes Judaism likewise not as a religion, but as a state law.⁵ This misunderstanding has, to some extent, its roots in the medieval interpretation of Judaism of which Saadya was the initiator.

(c) Saadya's insistence that human reason is insufficient to probe the motives of the ritual Law bears the impress of a deeply religious mind. But it is a mind which is lacking in the sense of mystery. Reason is the ultimate metaphysical reality. It admits of no serious crisis or dialectic in the structure of the world. Whereas some Jewish mystics—and in a sense, even

¹ Aristotle's *Ethica Nicomachea* was likewise translated into Arabic but not his *Politics*. Cf. Steinschneider, *HU*, 112, 116.

² Cf. L. Strauss, *l.c.*, and in *Le Monde Oriental*, XXVIII, 1934, p. 129, n. 1.

³ Cf. Strauss, *Phil. u. Gesetz*, pp. 108-199; *Le Monde Oriental*, pp. 124-131; Rosenthal, *l.c.*

⁴ Cf. H. Cohen, *Jüd. Schriften*, *l.c.*

⁵ Cf. I. Kant, "Die Religion innerhalb der Grenzen d. blossen Vernunft," in *I. Kants Werke*, ed. Cassirer, VI, pp. 272 ff.

Maimonides—saw in the Law the divinely appointed remedy to man's fall, and assigned to it the function of restoring the lost integrity of the soul and of the universe.¹ Saadya knows of no such redeeming function of the Law. The Law is, in his plainly optimistic philosophy of enlightenment, the road to happiness and perfection. Nor does he accept any notion of a pre-existent *Logos*, a notion so familiar in all branches of Jewish mysticism from Philo down to the Kabbalah. Like the Mu'tazilites who combated the Islamic *Logos* doctrine (of the "eternal Kurān") because of its christological implications, Saadya, in his doctrine of the Divine attributes, similarly rejects any notion of an eternal Word (*Logos*) co-existent with God. The famous passage of *Proverbs*, ch. 8, which describes the part of Wisdom in Creation, and which served as the *locus classicus* for all mystical references to the pre-existent *Logos*, is given a harmless rendering.² Thus every basis is removed for a conception of the mystical transcendancy of the Law. There is totally absent any trace of mysticism from his theory of the Law. The ritual laws—to the mystics a source of profound symbolism—are explained rationally. Saadya may be regarded as a pioneer in the psychology of religion. He exhibits a great capacity in this respect. But it would seem that a proper evaluation of the Jewish Law would have to transcend the sphere of psychological interpretation.

(d) A final remark about Saadya's basic attitude of "enlightenment". Berdyae夫 has characterised "Aufklärung" as that age in the history of every people "when the self-confident

¹ For the Jewish mystical conception of Torah in the above sense, cf. G. G. Scholem, *Major Trends of Jewish Mysticism*, Jerusalem, 1941, pp. 228-275. For Maimonides, cf. the remarkable interpretation of the "fall" of Adam in *Guide*, I, 2: Before his sin, Adam was so fully absorbed in the contemplative life of Reason, i.e. in the cognition of truth, that the dialectical problem of good and evil did not occur to him; as a consequence of his sin, he became entangled in the problem of good and evil. Hence the Law became necessary. Its function is to enable man to regain the lost beatitude of the contemplative life. A more genuinely Jewish conception of the purpose of the Law—that of teaching man to imitate God's ways of love—is only reached in the last part of M.'s work. For an appreciation of this see I. Epstein in *Moses Maimonides* (edited by I. Epstein), pp. 61 ff.

² Cf. the references in my article "Saadya's Theory of Revelation," in *Essays on Saadya*, ed. E. J. J. Rosenthal, 1943, pp. 13-14.

human Reason rears itself above the mysteries of being and of life",¹ and Maritain and Leo Strauss have shown that in its ultimate consequence the spirit of "Aufklärung" leads to an anthropocentric and atheistic position.² We must, of course, distinguish between moderate and radical enlightenment. Saadya as much as Hugo Grotius, and, in the eighteenth century, Moses Mendelsson, represent a moderate enlightenment which tried to harmonise the claims of Reason and Revelation. But the separation of ethics from religion, which lies at the core of all these forms of enlightenment, works itself out to a logical conclusion unforeseen by these protagonists of moderate enlightenment. Lessing, who assigned to Revelation a function similar to that which Saadya conceived, makes in fact humanism self-sufficient and autonomous. Kant, whose conception of Reason is so deeply imbued with the spirit of "Aufklärung", distinguishes, in words which seem to echo Saadya's formula, between the religion of Reason and the religion of Service ("Gottesdienstliche Religion") and attributes value only to the first.³ Man becomes the centre of the universe. His reason "rears itself above the mysteries of life and being".

The history of European enlightenment seems at a deadlock to-day. The conviction is gaining ground amongst religious thinkers, both Jewish and Christian, that religion and ethics cannot be separated; that they are essentially inter-related, a point which was clearly recognised by Jewish moralists in both medieval and modern times. Their interpretation of the Jewish Law goes a long way in elucidating the interdependence of ethics and religion. The ethical life is an expression not of Ratio and Nature, but of Love and Grace. The period of enlightenment of which Saadya was so distinguished a representative may thus give way to an age of religious humanism in which the two elements which have become separated will unite again.

¹ Nicolas Berdyaev, *The Meaning of History*, pp. 5-6.

² Jacques Maritain, *True Humanism*, pp. 1-26; Leo Strauss, *Phil. u. Gesetz*, pp. 9-29.

³ Kant, *l.c.*, pp. 278 ff.

A GLIMPSE OF VILLON'S PARIS.

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AFTER living for a number of years within the precincts of Saint Benoît where he had received his elementary training in Grammar, Rhetoric and the Bible under the kindly eye of old Guillaume, François entered the University of Paris at the age of twelve or thirteen, as was the custom in those days. The information about his University years is scanty enough, but we do know that he was diligent enough to gain the degree of *bachelier* in 1449 and of *maître* in 1452. The latter degree included the *licentia docendi* which was the necessary permission from the Chancellor of Notre Dame to teach if ever he should want to. It is unlikely that examinations for degrees in those days were very severe. Let us see what kind of place the University was, and let us glance very quickly at its growth.

From the earliest years of the Middle Ages there had existed in France schools which were mostly attached to cathedrals, although a few of the better known abbeys had them as well. As these schools were instituted for the purpose of educating candidates for the priesthood we shall not be surprised to learn that the whole trend of the education given in them was theological. First of all the pupils were taught Latin which was then the universal language of men of learning. Bibles were in Latin and so were the church services. The pupils were taught to construe a few Latin authors. All this was called Grammar. In the verses of the *Danse Macabré* the schoolmaster tells us—

Grammaire est science sans fable
De toutes autres ouverture.

ll. 345-346.

Latin then was the basis of all learning, and so it continued to be until near the end of the nineteenth century. Rhetoric, which was mainly composition in Latin prose and verse, was taught and so was Dialectic, which consisted of small portions of Plato and Aristotle in Latin versions. Grammar, Rhetoric

and Dialectic constituted the *trivium* which was followed by the *quadrivium* of Music, Arithmetic, Geometry, and Astronomy. Music was a study of the chant ; Arithmetic mainly the art of keeping elementary accounts ; Geometry the study of a few medicinal herbs, whilst Astronomy confined itself to calculations for deciding the date of Easter.

So great was the fame of these schools that foreigners from many countries flocked there to learn, and many of them stayed to teach. It was possible for a man who had the necessary *licentia docendi* to set up his own school. Many did so. In the very early years of the twelfth century we hear that Abelard taught philosophy to very large numbers of eager students, whilst Guillaume de Champeaux, who had taught dialectic in the schools of Notre Dame, retired, in 1108, across the river to a hermitage where the famous Abbey of Saint Victor was later founded. He had a large following of pupils over a long period of years.

These schools had become largely international in character because the Catholic Church was responsible for the teaching, and in those days its sway extended over most of Western and Southern Europe. Paris thus became the centre of European theological studies. In the reign of Louis VII (1137-1180) a chronicler had mentioned the very large number of students in Paris. The twelfth century was a period of intellectual and artistic renaissance. Men were enquiring and learning while unknown craftsmen were re-erecting Notre Dame and the Abbey of St. Denis. Both these churches in their present form originated during this century.

Quarrels and fights between the students and citizens of Paris seem to have been fairly frequent. It was after one such quarrel in the year 1200, when a number of students were killed, that King Philippe-Auguste imprisoned his provost and ordained that in future students were to come under ecclesiastical law. In succeeding years other kings conferred more privileges on the students. Philippe of Valois, for instance, exempted them from payment of most taxes. The Provost of Paris, upon appointment, had to swear that he would respect these privileges, as we shall see later.

Until nearly the end of the twelfth century masters and scholars existed without much contact between one body of students and another. Gradually the students began to unite into a sort of guild called *Studium generale* under the authority of the Chancellor of Notre Dame who was responsible to the Bishop of Paris for the direction of the cathedral schools. Two bulls of Innocent III in 1208-1209 formed masters and scholars into a *Universitas magistrorum et scolarium*. Although Notre Dame was the patron saint of the new University the influence of the Pope on its fortunes soon became much greater than that of the Bishop of Paris.

The University began to fix itself round the Mont Sainte Geneviève where we find the *quartier latin* to-day. In the closing years of the twelfth century we hear that vineyards were plentiful there. In fact, the whole of the district south of the *Ile de la Cité* was a mass of vineyards. As the increasing population of this district required more and more houses so the number of vineyards grew ever fewer. The University developed at a rapid rate during the thirteenth century. Before 1250 we hear of it being organised into four nations—France, Normandy, Picardy and England. The nation of France included students from Spain and Italy as well as those from central France; Normandy was for scholars from the north-west; Picardy for those from Flanders, whilst England contained a motley assortment from England and Germany. These 'nations' were keen rivals and often we read of quarrels and fights between two (or more) of them.

The University was also divided into the Faculties of Theology, *décret* (Canon Law) and Arts. Towards the end of the century a Faculty of Medicine was added. The Faculty of Arts was preparatory to the others and contained about four-fifths of the total number of students. A few students were animated by the love of learning but most had hopes of preferment in the Church. As its development indicates, the University was a massive pillar of the Catholic Church. Writing round about 1270 Jean de Meung speaks of

. . . l'Université qui garde
La clef de la crestiente.

Roman de la Rose, 11792-11793.

In their early days on the left bank the scholars found the living accommodation quite insufficient for the needs of the large numbers who flocked there. To check the consequent rise of rents Louis IX decided that rents should be fixed by two masters from the University in consultation with two citizens of Paris. Both masters and pupils had had some share in pushing up rents for they had often bid against each other to secure a room. Masters were no longer to outbid each other, while the landlord who refused to take the agreed rent had his house put under an interdict for five years. Any master or scholar who took premises whilst they were under this interdict lost all his University privileges. One result of this over-crowding was the gradual acquisition of premises to be turned into 'Colleges' or hostels for the students. The first college of which we have any record is the Collège des Dix-huit which was founded by an Englishman, Josse de Londres, after his return to Paris from a journey to Jerusalem. Eighteen poor scholars were lodged in one of the buildings that constituted the Hôtel-Dieu ; they were paid a small monthly sum and in return they carried the cross and the holy water when anyone died in the hospital. Each night they had to recite the seven penitential psalms. The places in this college were filled by the Dean and Chapter of Notre Dame. Benefactors were numerous during the next two centuries, for Guillebert de Metz, writing in the early years of the fifteenth century, names thirty or more colleges. Some of the better known bore the names of Beauvais, Sorbonne, Navarre, Laon, Harcourt, Narbonne and Cambrai. On their map (c. 1550) Truschet and Hoyau tell us *sont figuréz tous les Colleges, qui sont en nombre quarante neuf.*

To this University came very large numbers of students from all parts of Europe—rich ones, poor ones and even beggars. They came in the hope of making their fortunes but actually very many of them neglected their studies and spent their time on wine, women, gaming and fighting. They held a privileged position in the city and were detested by the citizens for their riotous behaviour. They frequently came to blows with the police. To this life, then, was Villon introduced at the tender age of twelve or thirteen. For a few years after entry his life

may have been more or less decorous, although it would perhaps be unwise to deduce this from the fact that we know nothing about any misdeeds of his before he took his master's degree in 1452. It is likely that a young man of his intelligence could do the work prescribed by the University and still have the time to join in many of the students' pranks.

In 1231 Gregory IX had given the University the right to suspend all courses and religious services if it felt itself aggrieved. As it was often in conflict with the civil power this cessation of all services was used as a powerful argument to get what it wanted. Villon may have been at the University when all courses closed down in 1444 because the Rector thought it unjust that an attempt should be made to tax the scholars. The attempt was consequently quite unsuccessful. There is in existence a longish summary of a lawsuit in 1453. 'Entre les recteur & Université de Paris, demandeurs d'une part, & messire Robert d'Estouteville chevalier, prevost de Paris, maistre Jehan Beson son lieutenant criminel, maistre Jehan Catin procureur du Roy notre sire du Chastellet de Paris, . . . tous defendeurs d'autre part'. This summary supplies ample evidence of the excesses of the University students in the years 1449 to 1453 when François was certainly in attendance. In his opening speech for the University Luillier reminds the court of the very important place it holds both in Church and State and how it was ordained 'pour introduire science et sapience'. He points out that the kings of France have honoured it in two ways ; firstly, by calling it *filiam carissimam* and thus showing that its scholars are under the special protection of the King, their father ; secondly, by conferring on it great privileges without which it could not support itself. The Provosts of Paris have the duty of watching over these privileges and 'à leur institution jurent garder lesdits privileges et autres sermens servans à la matiere, lesquelx ses lieux tenans et sergens doivent aussi jurer'. Furthermore, he swore to call his officers together every two years to remind them of their oath and to make them renew it.

This lawsuit gives us a good deal of information about a students' frolic which had a tragic ending. Writing about the time that Villon was born, Guillebert de Metz had

mentioned 'une diverse grosse pierre de merveilleuse facon, que len nomme le Pet au Deable'. This curiously named stone adorned the house then occupied by Mademoiselle de Bruyères, a widow and given to good works. Villon makes fun of her in the *Grand Testament*. One day in 1451 the students seized this stone and carried it off to the Mont St. Hilaire. When the worthy lady complained of her loss the provost's men captured the stone, loaded it on to a cart and ran it into the yard of the Palais Royal for safe keeping. The students, however, broke in, recaptured their prize by force and took it back to the Mont St. Hilaire where they fastened it down. While all this was going on Mlle. de Bruyères had replaced her lost stone by another which the students irreverently called *La Vesse*. This, too, was carried off by them to the Mont Sainte Geneviève and there fastened down with plaster and iron bands. The stones were adorned with chaplets of flowers and every night there were unseemly scenes of revelry around them. The students amused themselves still further by making passers-by, and particularly the king's officers, pay their respects to these precious stones ! The burgesses of Paris were indignant, and the more so because the students were going round at night stealing many of the painted signs which then hung on most Paris houses. They also carried off the meat-hooks belonging to the butchers of Sainte Geneviève. The great outcry among the citizens moved the provost to swift, decisive action. One morning the provost and a strong party made a sudden raid on the students' quarters on the left bank, seized the two stones and broke into the house called St. Etienne where they found the stolen signs, the butchers' hooks, a small cannon *cum maximis gladiis*. In the course of these proceedings, which were conducted with a considerable amount of violence, between thirty and forty scholars fell into the hands of the police and were locked up. University was indignant, and in the early afternoon the students assembled in force. Led by their rector they left in procession, walking in nines, to visit the Provost at his house in the Rue de Jouy situated between the Place de Grève and the Bastille off the Grant Rue St. Antoine. The provost spoke in a friendly manner to the rector and promised to surrender

his prisoners. The procession had hardly started its return journey when it met a body of *sergents* in one of the narrow streets. The armed police attacked the unarmed students. Soon the latter were running to take refuge in houses and gardens where they received anything but a friendly welcome from the citizens. At least one 'bon jeune escolier paisible' was killed. The rector himself was threatened and many of the students were beaten black and blue. Counsel for the University demanded reparations, including four chapels, suitably endowed, to be filled by University nomination. Some of the guilty *sergents* were to be put in a cart with halters round their necks to make honourable amends for their misdeeds in three public places in Paris. The end of this case becomes obscure because there is a recurrent demand from the Government that the University should resume its studies and that church services should be restored in all the churches of Paris. No doubt each side had to abate some of its claim and each could feel that it had been victorious in the struggle. We do know that in 1454 Jean Bezon, the provost's deputy, was dismissed from his post, and church services probably recommenced about the same time after an interval of more than a year.

As these events happened while François was finishing his degree course we can imagine that he played some part in them. Throughout his life he seems to have been keenly interested in those signs which were the distinguishing marks of most Paris houses and, moreover, he leaves to the worthy Guillaume de Villon :—

. . . le Rommant du Pet au Deable
Lequel maistre Guy Tabarie
Grossa . . .

This may mean that he composed a comic account of the whole affair which was afterwards written down by Guy Tabarie. His bequest of this romance to Guillaume must surely have been a bitter jest on the poet's part unless it contained a vindication of the part which the University played in the affair. It is, however, quite certain that these rather lengthy suspensions of all teaching in the University did little good to its many students. There is a very strong presumption that François fell into a variety of evil ways during the years 1451-1454.

Writing about 1832, the Abbé Prompsault, in the introductory 'mémoire' to his edition of Villon's poems which appeared in that year, quotes from the eight-lined variation of the famous tetrastich beginning

Je suis françois dont il me poise

which appears on the following page of the Stockholm MS. LIII, although in a different and considerably later handwriting. The fourth line of this variation he quotes as 'Et du commun nommé Willon' although the MS. has 'Villon' quite plainly written. He goes on to say that 'Willon signifie fripon'. A page or two further on Prompsault speaks of the worthy Guillaume de Villon as 'un maître fripon!' He knows that *villon* means a clever thief and therefore jumped to the conclusion that the poet was called Villon because he was a clever thief. The truth is that the word *villon* first appeared in the sixteenth century precisely because François Villon then had the reputation of being adept in the art of stealing. In the sixteenth century we find two nouns, *villon* and *villonnier*, and two verbs, *villonner* and *villonniser*, all containing the basic idea of carrying off someone else's property without paying. A legend of Villon's prowess in the skilful robbery of food grew up in the fifty years which followed his disappearance from history in 1463. It was perhaps a natural development of Villon's poverty and hunger which are often mentioned in his poems. There are admissions, too, that he owed money to Turgis for wine and to Moreau and Provins for food. Small wonder, then, that rhymers built up a collection of verses called 'Les Repues Franches' which were directly inspired by Villon's exceeding skill in obtaining free meals for himself and his companions.

In a somewhat lengthy introductory poem all the needy and all the ne'er-do-wells are invited to be present at the sermon in which the varied methods of obtaining free meals are to be set forth :—

Venez-y tost, sans nul estrif, (*without arguing*)
 Clercz, de praticque diligens,
 Qui congoissez si bien vos gens ;
 Sergens à pied et à cheval,
 Venez-y d'amont et d'aval,

Les hoirs du deffunct Pathelin
 Qui scavez jargon jobelin ;
 Capitaine du Pont-à-Billon (*Pont au Change*)
 Tous les subjetz Françoy Villon,
 Soyez, à ce coup, reveillez.

'Les Repues Franches' show the similarity of the tricks ascribed to Renart, Pathelin and Villon. It is, perhaps, interesting to note that in Levet's printed edition of 1489 Villon's poems in jargon carry the heading 'Le jargon et jobellin dudit Villon'.

The first dated edition of Villon containing these verses is the one printed in Paris by Anthoine de Bonnemere in 1532, but one or two undated editions of 'Les Repeues' only are presumed to have appeared about 1520 or even earlier. The full title seems to have been 'Les repeues franches de François Villon et de ses compagnons', although only the first of the seven 'repeues' contains any mention of François. In this he is certainly the mainspring of a series of manœuvres by which he and his cronies obtain free fish, tripe, bread, wine and roast. The tricks are all fairly old. Some are found in the *fabliaux* and some in *Tyl Eulenspiegel*.

The interruptions to Villon's University course must have thrown him, for a considerable part of each day, on to the streets of Paris where he had always found abundant colour and movement. These streets were narrow—the width varying from five to nine yards—crooked, often very filthy, but full of life from early morn to nightfall. Most streets were unpaved, thick with mud and manure, while dirty water lay about in noisome, stagnant pools. The only sewer was a sort of gutter meandering down the middle of the street. We must remember, too, that a large number of horses, donkeys, dogs, added to a small number of pigs, all made their contribution to the distinctive odour of fifteenth-century Paris. Outbreaks of plague and disease were fairly frequent. That they were not more frequent is due to the existence of a green, agricultural belt right round the city, because the street cleaning regulations, which appeared from time to time, were rarely effective. The water supply merely consisted of a few conduits, pumps and fountains. Yet in spite of all these sanitary imperfections the painted signs on the

houses, which had grown more and more numerous over the last two hundred years, lent colour to the streets, whilst the many passengers, whether knights, porters, priests, police, workmen, hawkers or beggars, all made for their animation. The lines of ordinary dwellings were frequently broken by the hundred or so churches and monasteries and by the mansions of the prosperous. We can well imagine how greedily François drank all this in. He loved those variously painted signs and must have delighted in the many cries of old Paris which went on from early morn to dusk. Early in the morning came the cry of the milk seller :—

Je crie du lait pour les nourrices
Pour nourrir les petits enfants.

Then followed purveyors of many kinds of food—salads, green peas, spinach and so on :—

A ma belle salade d'esté

Les poix vers, febves de marraiz

A ma belle poirée, à mes beaux espinarts,
A mes belles lectuës, à ma belle ozeille,
Du persil, cerfueil à merveille
De ce que j'ay n'espargnez pas.

Now we are being invited to buy some of those delightful French cheeses :—

Angelots de Brie,
De grands et petits,
D'achepter vous prie,
Ils sont d'appetits.

Then comes the coal-man telling us of the arrival of a cargo :—

Charbon du basteau,
Charbon, charbon de jeune bois,
Il n'est qu'à trois solz le minot,
Il est en Grève en un basteau,
Qui le voudra le vienne voir.

Others are selling chestnuts for roasting, dried herrings, or perhaps it is the chimney-sweep or the bath-man announcing their approach. These cries are all mingled with sounds of hammers on anvils, with a background of bells sounding from the city's hundred churches. No wonder if François loved to be in the streets where so much was to be seen and heard, where

so many men and women went their ways, where friends and acquaintances were to be found at all hours of the day.

There were other places where François was wont to see people in large numbers. Not far from Saint Benoît was the famous Place Maubert with its gallows which had fallen into disuse. In this open space was a bread market and consequently many people were to be seen there. Then there was the celebrated Place de Grève just across the river on the right bank. As its name indicates it was a sort of sandy beach by the river-side and very suitable for the unloading of the many boats which then brought so much merchandise to Paris. Coal, corn and wine were being continually landed there in large quantities. The coal-man above invites prospective customers to come and inspect his wares which were lying in a boat there. Besides being a port it was occasionally the scene of public executions other than those by hanging which were mostly staged at Montfaucon. Under the year 1475 Jean de Roye tells us that Louis de Luxemburg, Comte de Saint Pol, the Constable of France, was handed over to Louis XI and condemned to death. After his head had been severed by a single stroke of the sword it was placed on one of the supports of the scaffold and displayed to the whole crowd which, we are told, numbered 200,000 or more! The chronicler adds the following epitaph which was made directly after the execution :—

Mil IIIIc, l'année de grace
LXXV, en la grant place,
A Paris, que l'en nomme Greve,
L'an que fut fait aux Angloys tresve,
De decembre le XIX,
Sur ung eschafault fait de neuf,
Fut amené le connestable,
A compagnie grant et notable,
Comme le veult Dieu et raison,
Pour sa tres grande trahison.
Et là il fut decapité,
En ceste tres noble cité.

(*Chron. Scand.* I, 366.)

In the Place de Grève was the well-known tavern, called *Le Grant Godet*, which Villon humorously bequeathed to Jaques Raguier.

Two of the earliest known Paris markets seem to have been those held on the Place de Grève and near the leper-house of Saint Lazare. We do know that the former was moved by Louis VI at the beginning of the twelfth century to the 'Champeaux' where it has remained to this day, while towards the end of the same century the latter was incorporated into it. Philippe-Auguste had two large buildings erected there 'que le vulgaire appelle Halles'. A wall was built round these buildings, and inside the wall a number of covered stalls were constructed so that the market could go on in all weathers without much damage being done to the goods that were there. In his Latin 'Eloge de la ville de Paris', written about 1323, Jean de Jandun tells us of the wonderful market to be found *in domo Aulae Campellorum vocata*. All the luxuries are there. On the ground floor are silks, furs and cloths in wonderful profusion; *panni pulcri, pulciores et pulcherrimi*, whilst on the first floor are *specialia humani corporis paramenta*, hats, bonnets, combs, mirrors, girdles, purses, gloves, necklets and other things *de quibus nominum latinorum penuria me tacere compellit*.

In his 'Description de Paris sous Charles V' Raoul de Presles, in 1371, wrote, 'Prés de ce cimentiere (of the Holy Innocents) len commenca a faire le marchié; et lappelloit len Champiaux, pour ce que cestoint touz champs; et encores a ce lieu retenu le nom. Et pour raison du marchié y commencèrent premièrement les gens a faire loges et petites bordes (sheds and huts) . . . et puis petit a petit y edifffierent maisons; et y fist len hales pour vendre toutes manieres de denrées'.

In 1434 Guillebert de Metz mentions 'Les halles des draps, de peleterie, de mercerie, de cuirs, de pain, de fruit et dautres choses, contenans lespace dune ville de grandeur'. He goes on to mention the fountain and the pillory which were to be found there.

When we remember that, in addition to being a great market, it was also the meeting place of the idle; that minstrels, actors and mountebanks performed in it, that from time to time an execution, particularly the violent type known as quartering, was staged there, we can readily believe how strong an attraction it was for François.

To the east of this market and separated from it by a single street called *La Lingerie*—perhaps Villon's *marchié au fillé*—lay the church and the famous graveyard of the Holy Innocents. The biggest and best known cemetery in Paris, it was originally placed outside the city, like the butchery, to avoid the evil odours arising therefrom, but the city had long since extended well beyond it, and in Villon's day it was entirely surrounded by roads and buildings. In its early days it had no fence or wall round it and so what should have been a peaceful spot became, by its close proximity to the great market, anything but restful. The graves of the dead were trampled on by men and by the cattle which were sold near by. As all sorts of refuse tended to collect there, Sauval tells us that 'En 1180 le Cimetière de Saint Innocent fut clos et muré par ordre de Philippe-Auguste ; et fut pris et enclos une partie d'un emplacement appellé Champeaux, où se vendaient pour lors des Bestiaux'. Du Breul, who wrote more than a century before Sauval, said that as the dead could not be decently buried there on account of the water which collected there and a superabundance of fetid mud the King ordered that the whole cemetery should be surrounded by a stone wall.

The church itself faced the rue St. Denis with the cemetery immediately behind. The size of the latter was something like 120 yards by 80 or 90. Bonnardot says it was about 120 metres long, whilst Dufour says that the area was 1775 toises. It is recorded that in 1218 the Bishop of Paris gave a piece of land to extend the cemetery but later, when a network of streets had grown around it, any further extension became impossible. The soil quickly gained a reputation for swiftly decomposing corpses. Corrozet even mentions nine days for the job! As upwards of thirty parishes had the right of burial there we can readily understand that the cemetery soon became full and that to make new graves the old ones were dug up and any bones found were deposited in the garrets upstairs. Upon the inside of the wall of Philippe-Auguste were constructed in course of time about eighty arcades, where the wealthier citizens were buried, and above these arcades were built a number of garrets into which the bones of the long departed were huddled to make

room for newcomers. The normal number of burials seems to have been about ten a day, although in times of epidemic many times that number were put into long trenches and covered with a mere sprinkling of earth. At the time of the plague of 1348 the King ordered the cemetery to be closed and had all the gateways walled up 'de peur que l'air de Paris, à raison de la mortalité ou epidimie qui pour lors courroit, ne fust gasté et corrompu'. He ordered another cemetery to be consecrated outside the city walls. The cemetery of the Holy Innocents remained closed for about three years.

On the right-hand side of the church door 'l'on void les figures *en bosse* de trois chevaliers passans par dedans un bois, et trois morts à l'opposite aussi dans un bois. Lesquels fit faire et eriger Monseigneur Jean, Duc de Berry, en l'année 1408 pour l'ornement de ce lieu : auquel il voulut estre enterré après sa mort.' This is, of course, a version of the famous 'Dit des trois mors et trois vifs' which so greatly interested Frenchmen for about two centuries. In spite of his wish the Duc de Berry was not buried there, for in 1416 he died at the age of eighty-nine 'sans hoirs à Paris en l'ostel de Nesle'. His body was embalmed and taken to Bourges for burial.

Inside the church were a number of precious relics. Guillebert de Metz mentions 'ung innocent entier enchassé dor et dargent', whilst the Reverend Father du Breul tells us of a whole leg of one of the innocents measuring about six inches in length; of the head of Saint Richard the martyr who was supposed to have been done to death by Jews in the twelfth century; of a thorn from Our Lord's crown; of the gum of Saint Gacian, first Archbishop of Tours, and finally of another 'innocent' who could not be the same as the one noted by Guillebert de Metz because in front of this second one Louis XI and his wife are seen kneeling.

In 1424-1425 that remarkable piece of work, the 'Danse Macabré', was painted along the inside of the southern wall of the cemetery. It probably consisted of thirty pictures with verses below 'pour esmouvoir les gens a devotion'. It is quite evident that the pictures had much more effect on the people than the verses because, whereas only a tiny fraction could read,

all could find a meaning in those arresting pictures, whether of terror at death the inexorable, or of a certain grim satisfaction that, although in life men are very unequal, yet death claims them all. In a few short weeks it is quite impossible to distinguish those who were prosperous in life from those who were not. Indeed Villon jestingly leaves his big spectacles to the blind men of Paris

Pour mettre a part aux Innocens,
Les gens de bien des deshonnestes.

(T. 1734-1735.)

The origins of the 'Danse Macabré' are unknown but it is more than probable that France was its birthplace. When we consider the cemetery crowded with the dead of generations of Parisians, surrounded by the various sounds of an ever-busy market-place, it is probable that life and death, so strikingly contrasted, produced in some French minds the idea of a *danse des morts* in which two opposites, dancing and death, are intimately associated. Furthermore, in these pictures where a mummified figure of a dead man grips a living one, the dead figure seems full of life and alone supplies the dancing *motif*, while the living figure seems motionless as though it had died in its tracks directly it had been touched by the lively figure of death. The dead figure appears to grin and sneer and to go through a varied number of movements with hands, feet and mouth as it approaches its motionless, living victim. The Pope and the Emperor head the list which goes down through the many ranks in life to end with the halberdier and the fool. The Pope, the greatest man on earth, did not expect to die exactly as other men, whilst the fool noted that death removes all discord between men and that the wise and the foolish are equal after death :—

Tous mors sont d'un estat commun.

The pictures and verses are both rather terrifying, and it seems rather strange to us that fifteenth-century Frenchmen derived a somewhat grim satisfaction from beholding them. It is interesting to note that a few years after these paintings first appeared John Lydgate, monk of Bury St. Edmunds, saw them during a visit to Paris and made a translation of the verses which appears in his collected works.

As the wall on which these paintings appeared was demolished in the seventeenth century to widen a street we cannot be sure what the pictures looked like. We have to rely on the woodcuts in Guyot Marchant's 1485 edition of the 'Danse Macabré' which contained thirty figures. Ten more were added to his 1486 edition. But as the subject was fairly common in the numerous *Livres d'Heures* which appeared from 1490 onwards, where the number is nearly always thirty, it would seem most probable that thirty was the original number. The great popularity of the subject perhaps accounted for the extra ten as it did for the creation of the whole of the 'Danse Macabré des Femmes' which Marchant first published in 1486. As it was so much easier to copy the verses we may have greater confidence in Marchant's printed version of them.

We can now form an idea of what the cemetery looked like. The large burial ground was surrounded by a wall against which, on the inside, upwards of eighty 'arcades' were built. Above the arcades were the garrets into which the superfluous bones were unceremoniously tumbled. The dance was depicted inside the arcades on the southern side. In the graveyard itself were a few lofty crosses. In the centre was a handsome construction called *fanal*, or watch-light, on which a dim light was left burning all night, probably to scare away all evil spirits. Near the site of the 'Danse Macabré' was a kind of pulpit from which sermons were frequently preached. Indeed, we are told by the *Bourgeois de Paris* that in 1429 Friar Richard preached in the cemetery for seven consecutive days to a daily audience of five or six thousand people. His sermons began about five in the morning and lasted until ten or eleven o'clock ! He preached from the high pulpit with his back turned to the 'Danse Macabré'.

At ordinary times the cemetery presented a very animated appearance. Loungers of both sexes were to be found there. It was a much used trysting place for lovers. Even the more respectable citizens included it in their Sunday walks. There were charlatans, as well as genuine traders, offering their wares, sometimes displaying them on the tombstones. We can imagine what an attraction this place must have had for Villon. He would revel in the life there, and in quieter moments would

inspect the tombs or walk round the arcades and gaze at the 'Danse Macabré', or even go upstairs to look upon the huge piles of bones. Small wonder if the sight of all this set him thinking !

These are some of the parts of Paris that Villon knew particularly well. No doubt, when he was tired with wandering about that marvellous city, he would resort to one of the many taverns where he would meet the strangest mixture of all sorts and conditions of men. Some worthy citizens had their drink or two while settling some business or other and departed. Others remained until all their money was gone. Indeed, there are many instances of men leaving their clothing in pawn to the innkeeper for the wine they had drunk. In spite of the curfew this drinking went on far into the night and the inebriated had to find their way home in the dark. Did not the worthy master Jehan Cotart give his head a nasty bump on a butcher's stall one night when he was zig-zagging his way home ? Villon saw him :—

Comme homme beau qui chancelle et trepigne
L'ay veu souvent, quant il s'alloit couchier,
Et une fois il se feist une bigne,
Bien m'en souvient, a l'estal d'ung bouchier ;
Brief, on n'eust sceu en ce monde serchier
Meilleur pyon, pour boire tost et tart.
Faictes entrer quant vous orrez huchier,
L'ame du bon feu maistre Jehan Cotart !

(T. 1254-1261.)

What an ageless memorial to this prince of drinkers !

Villon would also join in the singing, card-playing and dicing which were so often the concomitants of drinking. Although gambling was forbidden by law it went on fast and furious after dark in many Paris taverns. It led to fights and to men being ejected into the street in various stages of intoxication, generally penniless and sometimes nearly naked. Then there would be clashes between these unfortunate gamblers and the watch which might lead to their appearance, next morning, in one of the courts—most likely before the *lieutenant criminel*, the deputy of the Provost of Paris.

Villon loved Paris. In those times when he discreetly absented himself from the city he was always anxious to return

to his beloved haunts at the earliest possible moment. He was truly an *enfant de Paris*.

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מְאוֹרָעֹת עֲולָם
THE BOOK עולם

BY DR. LAZARUS GOLDSCHMIDT.

THE little book **מְאוֹרָעֹת עֲולָם**, which appeared about two hundred years ago, contains not only stories and legends, partly original, about well-known figures in Jewish history, but also historical data concerning the Jews in the Ottoman Empire. It is extremely rare. Steinschneider's Catalogus Lib. Heb. in Bib. Bodl. which lists, in addition to the Bodleian collection of Hebrew works, everything pertaining to Jewish literature, does not know of the **מ"ע** at all. Nor does Cowley's minutely exhaustive catalogue (1929) mention it. Though I have diligently studied Antiquarians' Catalogues for wellnigh five decades I have never come across it. BenJacob's standard work on Hebrew bibliography knows of it from a reference in Ghirondi, but, as we shall see presently, is in error as to its place of origin. The Merzbacher Catalogue (in the University and Municipal Library of Frankfort a/M) also mistakes the place of printing. Apart from the copy of **מ"ע** in my own possession I know of three other copies only. These are contained in public Libraries, whose respective catalogues state, as my copy witnesses, the date and place of publication correctly, namely, Smyrna 1756. It would therefore appear that those bibliographers who give a different account in regard to place and date of the book's origin have been copying out, without first-hand evidence or verification, information initially erroneous.

In the course of a talk a few years ago with the librarian of the Jewish Theological Seminary, New York, the library of which prides itself on possessing the largest and most comprehensive collection of rare books and manuscripts, the conversation turned to the **מ"ע**. I mentioned Smyrna as the place of its publication. The librarian, however, contradicted me. It was printed, he stated, in Constantinople. He was the more dogmatic on the subject because, he said, he had written about the book, and knew more about it than I. There was thus no room for argument at the moment, but on my return home the first thing I did was to search for this piece of bibliographical learning of

which the librarian was author. I discovered it in the *Zeitschrift für hebräische Bibliographie*, VIII, p. 192, where, although no mention is made of place or date of publication of מ"ע, reference is given to a note by Steinschneider in a former issue of the same *Zeitschrift* (viz. VI, p. 186). Steinschneider there writes : “ There are two impressions of the collected stories מ"ע edited by Abraham Moses, both of them very rare and hitherto not adequately described. The Royal Library here [Berlin] bought the copy listed as No. 692 in Kauffmann’s ‘ Catalogue 19 ’ and which in this catalogue is provided with an incorrect date. This copy was printed in Smyrna in 1756 in small 8^{vo}. ” After a detailed description of this copy, Steinschneider continues : “ Grätz, on the other hand, possessed a different Hebrew edition which is incomplete.” (Cf. *Geschichte der Juden*, VIII, p. 274, edn. 1875, p. 427.)

Now, since Steinschneider is, as literary historian and as bibliographer, an authority, I hesitated to question his bibliographic verdict. I assumed that my librarian friend had been speaking about the different edition which Grätz mentions and that, if so, his statement about the place of origin of מ"ע might well be correct. It was no less clear that my statement was no less correct, as was proved by my own copy and by Steinschneider’s description of the Royal Library copy. מ"ע אמר חדא ומ"ע אמר חדא ולא פלייני says the Talmud. Nevertheless, on deeper reflection, I could see no reason why this little book, which can never have had any general popularity and has little of scientific or historical interest to impart, should have been published in two different places under the same title, the one edition following the other after an interval of time comparatively short. Thus I was induced to follow up the trail of Grätz. Grätz (*op. cit.*) actually claims to have possessed and used the book מ"ע, but, as he expressly states, a copy without a title-page. I discovered that the quotations which he cites, along with the number of the page concerned, were not to be found in my copy of מ"ע. Further investigation revealed that all his quotations, tallying exactly with the page-references, were taken not from מ"ע but from the book ספור דברים, which indeed appeared in Constantinople in 1728, but is another and much more comprehensive

work. Both books deal with roughly the same material and have drawn upon Sambari's *דברי יוסף* (collected pieces edited by Neubauer, *Anecdota Oxoniensia*, IV, pp. 115 f.). Grätz knew the *מ"ע* only by name. Apparently he knew also that it contained some references to Moses Kapsali. Hence he fell into the error of supposing that the book before him without title-page, was the *ספר דברים*, the book *מאורעות עולם*.

Ghirondi quotes from *תולדות גודלי ישראל* (*מ"ע*, pp. 265, 267), mentioning the correct year of publication, 1756. The references of his quotations correspond with the pagination of the Smyrna edition, although he erroneously cites the book as having been printed in Constantinople. And hence it comes about that bibliographers who have never set eyes on the book, but who have copied without judgment, have done much to perpetuate a false tradition of a Constantinople edition of this work. But it may be now taken as proven that the book which Grätz used was not *מ"ע* but *ספר דברים*; that there is only one edition of *מ"ע*, namely Smyrna 1756; and that "a larger one, used by Grätz," has no existence at all.

An incident with regard to Steinschneider and Grätz may here be noted. Steinschneider was no great friend of Grätz, and still less of the literary historian E. Carmoly whom he takes to task on every appropriate and inappropriate occasion. When Grätz once made use of a bibliographical note by Carmoly which dealt with the first edition of the 4th volume of *Responsa of Ibn Leb*, published at the press of the widow of Don Joseph Nasi (Duke of Naxos), Steinschneider (*Hebräische Bibliographie*, II, p. 34) wrote: "This edition may well be reckoned as belonging to those works which have the highest poetic value (*מיטב*) (*השיר—כובו*), that is, as one of the inventions of the great master; and we challenge his friends and defenders to prove the existence of this edition or, if they cannot, to admit that, ultimately, intentional invention should be called *deception*." Of this edition, the existence of which Steinschneider regarded as resting entirely on deception, several copies are now known to exist. I myself possess one. It is the irony of fate that the great master of Hebrew bibliography should himself have been deceived by an error of Grätz and then have created a book which has never left the printer's press.

THE PICTORIAL WORK IN THE " FLORES HISTORIARUM " OF THE SO-CALLED MATTHEW OF WESTMINSTER. (MS. CHETHAM 6712.)

By ALBERT HOLLAENDER, PH.D., F.R.A. INST.

TOWARDS the end of 1943 the John Rylands Librarian, Dr. Henry Guppy, drew my attention to the fact that the famous MS. 6712 of the Chetham Library, Manchester, the earliest MS. of the "Flores Historiarum", from which directly or indirectly all others have been derived, had, with other treasures of that Library, "escaped" evacuation due to the constant danger of aerial bombardment and was still available to students for investigation. I was, at that time, finishing a paper on the Sarum Illuminator whose development appears decisively influenced by, and closely connected with the work of the schools of St. Albans and Westminster during the first half of the thirteenth century,¹ thus my interest in an important MS., partly written at St. Albans and partly at Westminster, to whose pictured work hitherto only very short reference has been made,² grew considerably. I began to collect information, and two subsequent privilege furloughs from my military service, both prior to the invasion of the European Continent by the Allied Forces, enabled me to inspect the valuable MS., and at the beginning of September 1944 I applied to the Feoffies of Chetham's Hospital and Library in order to have the ten pen-and-ink drawings photographed. My application was very kindly granted and the result of my investigation, however incomplete and preliminary, is, herewith, submitted to readers of the "Bulletin of The John Rylands Library" interested in English mediæval art, in the hope that further research will clarify what I, at a time when scholarly efforts of this particular kind seemed a

¹ This paper has since appeared under the title "The Sarum Illuminator and his School", in *The Wiltshire Archaeological Magazine*, Vol. L, Devizes, 1943-44, pp. 230-262.

² See the introduction by Henry R. Luard, D.D., to his edition of the "Flores Historiarum", in the Rolls Series, Vol. I, London 1890, pp. xii seqq.

hopeless and almost futile attempt, failed to see or to place on record.¹

The illustrations of the MS., numbering ten, not counting four illuminated coats of arms, those of Raymond of Provence, the Marshals, David of Wales and John de Neville, depict all one and the same subject: the coronation of English Kings, viz. that of Arthur, Edward the Confessor, and the later kings from William I down to Edward I. The leaf which contained a picture of the coronation of Henry III is wanting. The remaining tinted outline drawings—they cannot be called illuminations—constitute a series of earliest coronation pictures in high mediæval British book illustration, thus forming an important iconographical link between the Coronation scene in the Bayeux Tapestry and the Coronation of the Confessor in the Painted Chamber at the Royal Palace of Westminster which may have been the work of Master William the Monk and dates from about 1270–1275.² Nine of our pictures show clearly style and conception of the School of St. Albans, five of them are of an exceptional beauty and dignity revealing a masterhand at least very closely connected with some works directly produced at the scriptorium of St. Albans and especially with those of its head, the scholar, chronicler, diplomat and “pictor per optimus”, Matthew Paris. To stress the full historic and artistic significance of these drawings, it is necessary to recall briefly some facts about the MS., its development and provenance, which have been elucidated by historical research in the course of the last fifty years.³

¹ My sincerest thanks are due to Dr. Henry Guppy, for the most generous acceptance of this paper in the BULLETIN and for many a valuable advice; to the Feoffees of Chetham's Hospital and Library for the liberally given permission to examine the MS. and to have it temporarily transferred to The John Rylands Library, where the pictures were expertly photographed by Mr. Murgatroyd; to Frank Stevens, O.B.E., J.P., F.S.A., Director of the Salisbury, South Wiltshire and Blackmore Museum, Salisbury, with whom this article was discussed in all its stages; and to my wife Barbara—who shared so much.

² Cf. W. R. Lethaby, “Mediæval Paintings at Westminster”, *Proceedings of the British Academy*, Vol. XIII, 1927, pp. 16 seqq., and 30.

³ For the following see Luard, *op. cit.*, I, pp. xiii seq., and Thomas Frederick Tout, “The Westminster Chronicle attributed to Robert of Reading”, *English Historical Review*, XXXI, 1916, pp. 450–464, and *Collected Papers*, Vol. II, Manchester, 1934, pp. 289–304.

In his very helpful and reliable guide through surviving books of mediæval England, Neils R. Ker gives Westminster as provenance of the Manuscript.¹ In the world of mediæval English books, however, the Westminster Chronicle is—*sit venia verbo*—a "citizen of dual nationality". The earlier portion of the work, down to the year 1265, was certainly written at St. Albans, the chronicle for the period 1241–1249 showing the distinct St. Albans hand. Luard² has found full evidence for the derivation of this portion of the work from the Cambridge Manuscript of Matthew Paris' *Chronica Majora*.³ Either at the end of 1265, or, at any rate, very shortly afterwards, the Manuscript was transferred to Westminster, whereupon "evidences of great disturbances begin".⁴ Up to nearly the end of 1265 the book was written by four distinctly different hands, the St. Albans hand, responsible for the context covering 1241–1249, being the third. All hands employed on this part are very neat and close, and obviously influenced by French, especially Northern French scripts: slender and slightly reinforced ("thickened") cunei-form upper shafts, firm crura with signs of beginning breaking, very few ligaturæ and abbreviations. The rubriks, in blue and red, are partly plain, partly filled or otherwise adorned with tendrils which are sometimes elongated and running parallel to the letter, sometimes spiralled. Similar rubrical tendril ornaments I have found in a mid-thirteenth-century MS. at All Souls College, Oxford, a commentary to the Pentateuch, believed to come from the Cistercian Abbey B.M.V. of Stanley, near Chippenham, Wiltshire.⁵ Now, upon the transfer of the MS. to Westminster,

¹ N. W. Ker, *Mediæval Libraries of Great Britain, A List of Surviving Books*, Royal Historical Society, Guides and Handbooks, No. 3, London, 1941, pp. 110 and 152.

² Cf. his introduction to the Rolls Series edition of Matthew Paris' *Chronica Majora*, Vol. I, London 1883, pp. 17 seqq.

³ Corpus Christi College, MSS. LAT. 16 and 26, 16 being the second part of 26.

⁴ Tout, *op. cit.*, II, p. 299.

⁵ MS. LAT. XII. Cf. Ker, *op. cit.*, pp. 101 and 161, who thinks the MS. may be from Stanley, co. Wilts, or Stoneleigh, co. Warwick. Though the provenance of the MS. is not fully ascertained, its original home seems to me rather the Wiltshire Stanley than the Warwick Stoneleigh, as the sixteenth century Ex Libris inscription on fol. 181b says: "Liber SCE Marie de STANLEYA/Isidorus super Pentatheucon", thus spelling the name of the

twelve more hands were employed down to its conclusion in 1326, eleven of them being recorded by Dr. Luard, the twelfth, a mid-fourteenth-century hand was, on foll. 260 and 261, discovered by the late Thomas Frederick Tout,¹ who re-examined the last portion of the MS. about thirty years ago and reconsidered its authorship. Hitherto the part comprising the years 1299 (or 1303) till 1326 had been, particularly by Luard and later on by Tait (upon comparing the text of the Chetham MS. with that of B.M., Cotton, *Claudius XVI*) ascribed to Robert of Reading, a monk of Westminster, who died before or in 1326. Professor Tout has shown that this attribution can no longer be maintained, as no person of that name is to be ascertained indubitably from the Abbey records after the year 1317, and that the whole ascription, dating only from the second half of the thirteenth century and recorded by an incurious and inaccurate writer, is probably due to misunderstanding on the part of the epitomator who continued (and concluded) the narrative at the end, after the description of the murder of Sir Roger Belers in February 1326.² Tout has, however, made clear that the chronicle beginning in 1299, or perhaps 1303, and ending in 1326 was the work of *one mind* and that, with the description of the Battle of Courtrai in 1302, the Siege of Sterling and the robbery of the wardrobe treasury at Westminster Abbey in 1303, the work assumes "a distinctive individuality of its own".³ The very short epitomæ continuing the work down to the recognition of Edward III as king in January 1327, seems to give evidence that a certain

house in the manner more characteristic to the Wilts establishment than to the Warwick house which is more often spelt "Stanlega", or "Stanleia". See also Henry Octavius Coxe, *Catalogue of Manuscripts in the Library of All Souls College*, Oxford, 1842, p. 6. A pencil note from Coxe's hand reads: "Cistercian Abbey of Stanley in Wiltshire (Dugdale [Monasticon Anglicanum] V, p. 563)". Whether the MS. was actually written at Stanley or at some other place, I have to leave here undecided. I hope to come back to it shortly elsewhere. It suffices to say that the four superbly ornamented initials on foll. 1a, 74b, 124b, and 156a (O, S, T, Q) are fully developed outline drawings, following up Western French and Visigothic traditions of ornament. For permission to examine this MS. I have to thank the Librarian of All Souls College, Professor Sir Charles Oman, K.B.E., and the Sub-Librarian, Mr. A. C. B. Whitaker.

¹ *Op cit.*, II, p. 300.

² *Ibid.*, pp. 291-292.

³ *Ibid.*, p. 296.

portion of the original Chetham MS. was destroyed and that the gap was, however inadequately, supplied by a mid-fourteenth-century transcriber, at any rate, the continuator who wrote the part at the end after the record of 'Robert of Reading's' death in 1326. The actual author of the Chronicle of the first quarter of the fourteenth century which, by the way, shows a real gap in the narrative between the beginning of 1306 and the summer of 1307, remains still to be traced. A careful re-examination of the numerous fourteenth century and later marginal glosses and annotations which are sometimes rather cryptic, and a new collation with the Cotton MS. could, probably, yield further information—a task which is not attempted in this paper and is also rendered more difficult by the fact that the volume presented to the Chetham Library by Nicholas Higginbottome of Stockport, in 1657, has since been rebound whereby catchwords and the like were, oftentimes ruthlessly, cut away and the sheets so closely pressed together, that it is, in fact, most difficult to determine where the quires begin and end. Also, it must not be forgotten that after the transfer of the MS. to Westminster several passages were erased and entries, relating to Westminster, were written over the erasure, a renewed search for the original text would, therefore, necessitate treatment with ultra-violet rays. As to the palæographical analysis, it suffices here to say that the first four hands employed in the Westminster portion still show a neat and careful script down to 1292. Several new rubricators are brought in, ornamental fillings are becoming rare. After 1292 the penmanship deteriorates. The scripts appear broader and more provincial, the process of breaking shafts and crura is nearly accomplished, fuller use is made of abbreviations. Furthermore, the whole MS. contains 299 leaves, including fly-leaves and the prefixed Calendar. The ancient numbering of columns, two to each page, in arabic figures, beginning on fol. 8a, ends rather abruptly on fol. 259a. From fol. 260a till 297b each leaf is numbered.¹ It may be added that Dr. Luard has traced corrections from Matthew Paris' hand. These occur throughout

¹ The position of the pictures in the MS. is, in the following catalogue, indicated by reference to numbered columns. The numerals given in brackets refer to the pages of the text of the Rolls Series edition by Luard.

the portion written by the St. Albans hand which, as pointed out above, comprises the years 1241–1249.¹ When the MS. left Westminster and through which hands it passed before Nicholas Higginbottome got hold of it, we do not know. In 1461, however, it must have still been at Westminster, as on one of the fly-leaves there appears the name of R. Teddyneton, who was a monk of Westminster in that year. We have thus, for the second "transfer", a terminus *a quo* and a terminus *ad quem*: 1461 and 1657.

Of the pictorial work nine illustrations fall to the portion written at St. Albans, and only one, representing the coronation of Edward I, to the portion written at Westminster. They are inserted in carefully measured spaces, obviously left blank for the definite purpose of being filled with pictures. These pictures are, with one and rather insignificant exception, very elaborate indeed and by far superior to those in the so-called Merton MS. of the "Flores" at Eton College, which, though partly derived from the earlier Chetham MS., represents in some way the archetype of a second class of "Flores" MSS. and is the only other thirteenth-fourteenth century MS. of the Chronicle adorned with illustrations.² But whereas the illuminator of the Merton MS. was apparently not sufficiently inventive to bring forth more than a rather monotonous series of pictures, all of them showing a crowned king between two bishops (or archbishops),³ the St. Albans artists emphasized a momentum to which great importance was attached, particularly at St. Albans—though it was certainly neither 'invented' nor 'discovered' there: motion and scenic effect. The following descriptive catalogue may be found useful.

I. Col. 185.⁴ DE CORONATIONE ARTHURI. Size : $2\frac{7}{10} \times 2\frac{3}{10}$ inches. Blue frame, the corners of which run into

¹ They are recorded by Luard as follows : II, 292 (*ad annum 1245*), II, 317 (1246), II, 330 (1247), II, 331 (1247), and II, 375 (1250).

² Eton College, MS. 123. Ker, *op. cit.*, pp. 72 and 137. Montague Rhodes James, *A Descriptive Catalogue of the Western Manuscripts at Eton College*, Cambridge 1895, p. 23. The MS. was written at the Augustinian Priory B.M.V. at Merton, Surrey.

³ A picture of the Nativity on fol. 7b is not necessarily a work of the hand which executed the coronation pictures.

⁴ Luard, I, 258 (A.D. 516).

foliated endings each of which is of a different design. Faint pinkish-brown background. Six figures. In the centre the young king, full face, beardless, with curly hair, seated on an elaborate, cushioned chair, his feet resting on a flat step, in his right hand holding sceptre with three-foiled head, with the fingers of his left hand, at breast height, slightly pulling down the flexible (red) clasp-band holding together the borders of his open pallium which he wears over supertunica (note simple quatrefoiled brooch). He is flanked by two mitred and coped bishops, both bearded, placing the crown on his head with their left hands, their right hands raised blessing. Three clerics in attendance, two on the (king's) right, the westernmost bearded, one on the left, holding crosier in his right hand, maniple on his left forearm. Heads and feet of all figures intersecting the frame at top and bottom. Soft cast of drapery, concentric dish-folds, no crumpling folds. Borders of the bishops' copes finely ornamented, similar to that in III. Vestments tinted blue and green, faces (cheeks) pink. The picture, especially the figure of the seated king, bears close resemblance to some illuminations in the *Estoire de Saint AEdward le Rei*, a work of Matthew Paris', executed at St. Albans Abbey, under his supervision but not by his own hand, and probably made for presentation to Henry III's Queen, Eleanor of Provence, soon after the time when Henry had made a new and splendid shrine for the relics of Edward the Confessor.¹ Plate I.

II. Col. 433/34.² CORONATIO GLORIOSI REGIS EADWARDI QUI JACET APUD WESTMONASTERIUM. Half-page picture extending over both columns of the written text. Size : $5\frac{3}{10} \times 3\frac{1}{2}$ inches. Blank frame, top inscription within frame, *ut supra*. Dark blue background. Seventeen clearly discernible figures. In the centre the youthful king, full face, beardless, crowned, seated on a cushioned throne, his feet resting on a little stool.

¹ University Library, Cambridge, MS. EE. 3.59, fully figured and described by the late Dr. Montague Rhodes James, Roxburghe Club, Oxford 1921; see also Hollaender, *op. cit.*, p. 259. The crown appears in all illustrations as an open and indented crown (circlet with fleur-de-lis), and not as an "arched" crown (circlet with fleur-de-lis, surmounted by "arches" or bands crossing above it, rising to a central knob), as worn by St. Edward the Confessor. Cf. W. R. Lethaby, *Westminster Abbey Re-examined*, London 1925, p. 293, and fig. 181.

² Luard, I, 564 (A.D. 1042). See also W. F. Hook, *History of the Archbishops of Canterbury*, I, London 1860, p. 490-1.

Dress : pallium, widely open, showing upper part of the body clad in supertunica. Right hand in similar bearing to I, with left hand receiving the bird-headed sceptre from the hands of Archbishop Aelfric of York (bearded), who stands, mitred and coped, to the left of the king. To his right Archbishop Eadsige of Canterbury (bearded), mitred and coped, pouring the oil over the king's head out of the ampulla which he holds in both hands. Behind the archbishop seven clerics, partly bareheaded, four of them bearded, the central one holding in his right hand a staff (elongated asperge?). To the left of the bishop investing the king with the sceptre, six (or seven?) peers acclaiming the king, all bearded, presenting their swords, hilts (with circular pommel) upwards. They are clad in long mantles. In drawing this picture the artist has, it appears, strictly followed the text which reads here as follows : "Anno Domini MXLI^{II} Eadwardus, annuente clero et populo, Londoniis in regem eligitur et ab archieiscopis Cantuariensi Eadsio et Eboracensi Alfrico cum sibi subjectis episcopis prima die pasche in regem apud Wintoniam consecratur." The representation of the magnates presenting their sheathed swords hilt upwards, is extraordinarily rare in English high mediæval art, and depicting a swordbearing attitude with the sword inverted is usually confined to St. Paul, the sword being his special emblem. It appears, towards the end of the thirteenth century, in an inlaid tile showing the figure of St. Paul under a canopy, which comes from Whitmore Park, near Coventry (Victoria and Albert Museum, London, No. 382 ex 1905) and in two French bibles in the Chester Beatty collection (MSS. 52 and 53) and later on, towards the middle of the fourteenth century in the left-hand leaf of a rather unusual ivory diptych of French workmanship (the right-hand leaf of which is missing), showing the Virgin and Child flanked by St. Peter and St. Paul, beneath a triple cusped and crocketed canopy, in the possession of Dr. Philip Nelson, F.S.A., of Liverpool.¹ A revision of all known, vic. published drawings attributed, with

¹ Dr. Philip Nelson, "An Unusual Mediæval Ivory", *Acta Archaeologica*, Vol. VI, Copenhagen 1935, p. 165, and Plate. The Coventry tile is figured and described in Arthur Lane, *A Guide to the Collection of Tiles*, Victoria and Albert Museum, Department of Ceramics, London 1939, p. 26, and Plate 20 i.

good grounds, to Matthew Paris has, however, yielded another remarkable though rather fragmentary specimen of this representation. In the second part of the Cambridge MS. of the *Chronica Majora* (Corpus Christi College, MS. Lat. 16)¹ there is, on fol. 96a, a small series of very bold, though sketchy—and to our purpose very instructive—marginal drawings facing the description of Henry III's wedding with Eleanor (Alienora),² and containing the following subjects: At top, a row of three prelates, half length, in mitres and chasubles. The archbishop, with pall, on the left, holds up the crown. Below these is a like group. A bishop on the left (preaching?); a second, in cope, holds bucket and asperge; three tonsured clerics. Below this, *two hands holding by the ornamented scabbard, hilt upwards, the sword Curtana*. And below this, a single arm holding a plain staff.³ This iconographical detail, however small, must not be

¹ Cf. p. 363, note 3.

² See the Rolls Series edition, cur. Luard, Vol. III, London 1876, p. 337.

³ M. R. James, *The Drawings of Matthew Paris*. Walpole Society, Annual Volume, XIV, Oxford 1926, p. 13 and Plate XIII, fig. 64. My hearty thanks for valuable information on this particular point go to Dr. Philip Nelson, M.D., M.A., Ph.D., F.S.A., of Liverpool. "Curtana", the short or pointless sword, signifies mercy. See Lawrence A. Tanner, "The Regalia", in *Crown and Empire*, London 1937, p. 106. Lethaby, *Westminster Abbey, etc.*, p. 294. As regards the representation of the swordbearers: the magnates (or holders of court offices) do not, in my belief, contain an allusion to the four kings "quorum ius it fuerat" to carry their (golden) swords when walking before the King in the coronation procession, of whom Geoffrey of Monmouth tells us in his *Historia Regum Britanniae* (1136) describing fancifully the coronation of Arthur (Ed. by A. Griscom and R. E. Jones, London 1929, pp. 451-458). The Court officers or Serjeants, like the Marshal, the Constable, the Chamberlain, and some lesser ones acquired—and secured—as time went on the right to carry the King's sword, but as this was the King's own and had to be at hand in case of danger, they were issued with swords out of the royal armoury. On the other hand, we know that at the coronation of young Henry I more than one sword was used by bearers that were not Court officers, and at the coronation of Richard I there were several sword bearers, not indeed four, but certainly three, one of whom was the King's own brother and the second of the sword bearers was a brother of the King of Scotland. All this information, however, refers only to the procession in which the sword was carried *point upwards*. On the rules and principles governing the coronation, which appeared booked out by the middle of the thirteenth century, cf. Percy Ernst Schramm, *A History of the English Coronation*, transl. by L. G. Wickham Legg, Oxford 1937, pp. 59-61, and 66-7. Bird-headed sceptres similar to that in our drawing are held by the weepers (a king and queen) in the monumental tomb of

disregarded. Besides being most revealing as regards a possible direct or indirect authorship of Matthew Paris in the illustrations of the "Flores"—and not only with reference to the attitude of bearing the inverted sword—it leads to the (in my opinion) only admissible interpretation: the peers are offering to the king the use of their swords and thus present them with the hilt and *not* the point towards him. The custom of presenting the swords must, however, have undergone some change, as the coronation of Edward the Confessor, as represented in the Bayeux Tapestry, still shows two magnates presenting the sword point upwards. There is much in this picture which reminds me of some of the 76 illuminations in B.M. MS. Add. 35166, an Apocalypse of St. John the Divine, written in England in the second half of the thirteenth century but, at any rate, not very much later than 1270, which Dr. James includes in the St. Albans group of Apocalypses though a St. Albans origin of that work is not established with absolute certainty.¹ It does *not*, however, as some would be inclined to assume—bear unobjectionable relation to the famous Apocalypse in Latin and French in the Bodleian Library (MS. Douce 180), save for some affinity in the face drawing, particularly where blocky groups of figures are met (cf. the illuminations on pp. 12, 20, 21 and 23), but even there we find completely different hairdress and headwear.² It seems most probable that Matthew Paris had at least a hand in the design of this picture, although the long and slender figures do not, as will be shown later, point exclusively to his own hand. But face drawing, cast of folds, bearing and attitude—the figures

Prince John of Eltham (d. 1337), at Westminster Abbey. Cf. Arthur Gardner, *Alabaster Tombs of the Pre-Reformation Period in England*, Cambridge 1940, Plates 12 and 13.

¹ Cf. M. R. James, *The Apocalypse in Art*, The Schweich Lectures of The British Academy, Oxford 1927, pp. 49, 52, and 54; *Reproductions from Illuminations* (British Museum Publications), Vol. II, Plates 23 and 24.

² Actually there is no real connection between the Douce Apocalypse and St. Albans, it is not even certain that the MS. is English at all. Dr. James suggested (Roxburghe Club, Annual Volume 1922, p. 20) a Canterbury origin, where French as well as St. Albans influence was strong, and points out that it may be "a magnificent production by an artist writing at Canterbury, made for Edward I or his wife Eleanor of Castile, a year or two before his succession to the throne". Cf. also Lethaby, *Paintings at Westminster*, pp. 7-8.

being not altogether without affectation—and, last but not least, the scenic composition reveal his mastery of style, inventiveness and technique. Vestments tinted green and red, faces pink.

Plate II

III. Col. 465.¹ *Coronation of William I.* Size : $2\frac{3}{5} \times 2\frac{2}{5}$ inches. Double frame, the outer left blank, the inner blue, with simple ornament of flowers at the bottom. Three figures. In the centre the king, full face, bearded, seated on a throne, his left foot resting on a little footstool, his right leg stretched (foot touching ground). His right hand clasping the hilt of the short sword which he holds point upwards, his left hand rests on his left knee. He wears a widely open pallium, hung round his left shoulder, over supertunica gathered by a waist band. To his right Archbishop Aeldred of York, coped and mitred, in his left hand the crosier, with his right hand placing the crown on the king's head. To his left another coped and mitred bishop, in his left hand holding the missal, his right hand raised blessing. Both bishops bearded.² Framework intersected by the figures of the bishops, at top, bottom and at eastern edge. Vestments and shadings tinted faint brown, blue and greyish blue, faces pink. In this illustration only the bold figure of the king seated appears to be from the same hand as the two foregoing pictures, the two bishops displaying different features and draughtsmanship (note cope and mitre of the bishop to the king's left). A very similar picture by Matthew Paris of a seated king is to be found on page 28 of MS. 26 at Corpus Christi College, Cambridge, showing Cassibelaunus, bearded, full face, seated on a chair of which the feet are dragons' claws and the arms end in dragons' heads, four of each, an iconographical variation typical of Matthew Paris), his left hand resting on his thigh, in his right a sword, point upwards.³ Of iconographical interest is the fact that the sword appears to be delivered *before* the actual coronation and anointing

¹ Luard, II, 1 (A.D. 1067).

² Who the second bishop is cannot be ascertained from the text which reads here : ". . . ab Aldredo Eboracensi archiepiscopo regni suscepit diadema. Timuit enim hoc munus consecrationis a Stigando, Cantuariensis archiepiscopo suscipere, eo quod non legitime occupaverat illius excellentiam dignitatis, licet de iure antiquo ad illam ecclesiam sollempniter spectare conpeleretur . . .".

³ James, Walpole Society edition, p. 4, and Plate I, fig. 3.

of the king. According to both the French and the English coronation order of the thirteenth century, the sword was delivered at the same time as the other royal ornaments. The practice of delivering the sword as a preliminary ceremony before the anointing of the king cannot, therefore, have been invented in France in the fourteenth century, as is generally supposed, but must be considerably older.¹ Plate III, fig. A.

IV. Col. 476.² CORONATIO REGIS WILLIELMI DICTI ET EXISTENTIS RIFI APUD LONDINIAS. Size : $2\frac{1}{2} \times 2\frac{3}{10}$ inches. Double frame, the outer blue, with delicate tendril pattern, the inner red, plain. Background dark blue, with white dots. Three figures. In the centre the young king, head slightly turned to the right, beardless, seated on (cushioned?) chair, his right hand resting on his right knee, his left holding sceptre (with large floriated head) halfway across the upper part of his body. Dress : widely open pallium over bordered supertunica gathered by girdle. He is flanked by two coped and mitred archbishops, both bearded, both holding crosiers in their left hands, the bishop to his left placing the crown on the king's head. Tinting of vestments and faces as in II. The text enumerates five bishops, it reads : "Affuerunt autem Laniffrancus³ archiepiscopus Cantuariensis, qui eum consecraverat in regem, et Thomas Eboraensis et Mauritius Londoniensis et Walkelinus Wintoniensis et Galfricus Exicestrensis . . .". This picture bears the traces of a new hand, though the St. Albans style remains unmistakably evident. Affinity to the illuminations of B.M. MS. Add. 35166. The patterned frame band resembles in style a St. Albans drawing, obviously a design for a paving tile, which the late W. R. Lethaby discovered, many years ago, in a St. Albans MS. at the British Museum (MS. Royal 2 B VII), showing a foliage with a long, waving pointed leaf with cross bars on the stalks.⁴ All three figures intersecting framework at top and bottom. Plate III, fig. B.

¹ See, for instance, E. S. Dewick, *The Coronation Book of Charles V of France* (Cott. MS. Tiberius B. VIII), Bradshaw Society, Vol. XVI, London 1899, p. 19.

² Luard, II, 19 (A.D. 1089).

³ My reading, Luard reads 'Lamfrancus'.

⁴ Lethaby, *Westminster Abbey, etc.*, p. 114, and fig. 68.

V. Col. 486.¹ *Coronation of Henry I.* Size : $2\frac{3}{5} \times 2\frac{9}{10}$ inches. Double frame, outer blue, consisting of a patterned band (small white circles with dots in centre, and outside), inner red. Dark blue background with white dots. Three figures. In the centre the king, the bearded head boldly raised and slightly turned right, seated on a cushioned chair, his left leg put across his right knee. Index finger of his right hand (arm above the elbow parallel to upper part of body) pointing downwards, right hand grasping the flexible clasp of his open pallium which he wears, round his shoulders, over supertunica gathered by girdle. He is flanked by two bishops in copes and mitres, the bishop to his right placing the crown on his head (with left hand), his right hand raised. The bishop to his left is seen in the attitude of preaching. Crosier leaning towards the background. Simple and soft cast of folds. Tinting of vestments and faces as before. All figures intersecting framework at top and bottom. Though a new iconographical detail—the crossed legs of the king—is introduced, the hand which has drawn this illustration appears to be the same that is responsible for IV, as can be seen in a number of smaller details, such as the design of vestments (especially mitres), faces, and the posture and unproportioned shape of the hands. Plate IV, fig. A.

VI. Col. 502.² *Coronation of Stephen.* Size : $2\frac{3}{5} \times 2\frac{1}{2}$ inches. Plain green frame, red background. Three figures. In the centre the king, full face, bearded, seated on a cushioned chair with sumptuously carved foliated arms, his feet resting on the baseplate of the chair. He is clad in a pallium over bordered supertunica. In his right hand he holds the unsheathed sword, hilt upwards (note circular pommel and pointed blood groove) halfway across the upper part of his body, left hand on left knee. To his left and right two bearded bishops, both mitred and coped, the easternmost (Archbishop William of Corbreuil, of Canterbury) holding crosier in his gloved left hand, with his bare right hand touching the crown which the westernmost bishop places, with his left hand, on the king's head. Tinting of vestments and chair faint green, blue and red. All three figures intersecting the frame

¹ Luard, II, 34 (A.D. 1100).

² Luard, II, 57 (A.D. 1135).

at top and bottom. This picture appears somewhat clumsy, the king's head and crown being out of proportion, the drawing not quite steady, revealing a new, third hand. The general impression, however, is good, the connection with St. Albans, at any rate, obvious, the figure of the king—with regard to bearing and attitude—resembling similar figures in the *Estoire de Saint Aedward le Rei* and the Wilton Psalter (Royal College of Physicians, London).¹ Of interest is the architecture of the chair, which shows some feeling for fine ornament, but lacks the peculiar and playful inventiveness of Matthew Paris. Plate IV, fig. B.

VII. Col. 514.² CORONATIO REGIS HENRICI. THEOBALDUS ARCHIEPC. Size: $2\frac{4}{5} \times 2\frac{2}{5}$ inches. Plain blue frame, unfinished, reddish background. Three figures. In the centre the king, full face, crowned, bearded, seated on a cushioned chair, his legs boldly crossed, his right hand raised (with all five fingers stretched, as if giving the promise to fulfil the sovereign's duties). Dress: pallium covering left shoulder, over supertunica which is gathered by a girdle. He is flanked by two mitred and coped bishops, both having crosiers, the westernmost holding it in his left hand, the right raised, the easternmost holding crosier in his left hand, the gloved right raised blessing. Which one of the two bishops represents Archbishop Theobald of Canterbury ("unctus est a Theobaldo Cantuariensi archiepiscopo") is not evident from the picture. Tinting unfinished and rough: copies of the bishops green, the king's pallium and the beards of the bishops greyish-blue. In spite of the sketchy character of this illustration, at least the rough draft and particularly the excellently designed figure of the king, full of alertness and motion, seem to me to be the work of Matthew Paris himself. Also the bishops bear traces of Matthew's very characteristic face drawing, as a comparison with some published drawings by Matthew show. In Corpus Christi College MS. 16, on fol. 107a, we find a drawing representing the Council of London presided over by the papal legate Otho. He sits on the left, alone, mitred and coped, with raised right hand. On the right we see a seated group of six

¹ Hollaender, *op. cit.*, pp. 250 seqq.

² Luard, II, 72 (A.D. 1154).

bishops and five men in caps or bareheaded.¹ Similar clerical figures are to be found in the same volume, on fol. 146b,² representing the sea-fight between the Pisane and Genoese, 1241, narrated in the text, in a letter of Emperor Frederick II. The Genoese ship on the right has three rowers, a boatswain with pipe and five mailed knights, also a standard, and the rest of the ship is occupied by churchmen : four mitred bishops and five abbots with crosiers. All these figures of clerics have features very similar to those of our bishops. We shall come across them again and reference will be made to them. Plate V, fig. A.

VIII. Col. 524.³ *Coronation of Richard I.* Size : $2\frac{1}{2} \times 3\frac{1}{2}$ inches. Unfinished green frame, red background. Eight discernible figures. In the centre the king, bearded, head slightly bowed and right inclined, seated on a cushioned chair. In his right hand holding sceptre with large floriated head, the fingers of his left grasping the flexible clasp of his widely open pallium which he wears over the supertunica and which covers only the lower part of his body. His feet rest on the base of the chair. He is flanked by two mitred and coped bishops, both bearded, holding crosiers in their left hands. The easternmost (probably Archbishop Baldwin of Canterbury) holding in his right hand the ampulla out of which he pours the oil on the king's head. The westernmost raises his hand in the attitude of admonishing. Behind the bishops three figures, most likely clerics, one of them bearded and bareheaded, the other one beardless with cap, of the third only the crown of the head (with cap) can be seen. Behind the anointing (arch)bishop four figures, only two faces discernible, the easternmost youthful, full face, beardless, with short hair, to his right another beardless face, two crowns of heads in the background. Tinting of vestments blue and green. The figures of the bishops intersecting the frame slightly at the bottom and eastern edge (hand and crosier of the anointing (arch)bishop), but not at the top. A very elaborate drawing, apparently by the hand responsible for I, II and partly III (figure of king seated) and certainly closely connected with Matthew Paris. Plate V, fig. B.

¹ James, Walpole Society edition, p. 13, and Plate XIII, fig. 65.

² *Ibid.*, p. 14, and Plate XIV, fig. 7.

³ Luard, II, p. 102 (A.D. 1189).

IX. Col. 549.¹ CORONATIO REGIS JOHANNIS. HUBERTUS CANTUARIENSIS ARCHIEPISCOPUS. Size : $2\frac{7}{10} \times 3\frac{1}{5}$ inches. Blank frame, the top edge filled with inscription. Background blank. Three figures. In the centre the king, full face, crown of head framed with curly hair, bearded, seated on a cushioned chair, his feet resting on the baseplate of the chair. His right hand, resting on the cushion, holding sceptre with nodus and floriated head, his left (with index finger) grasping the clasp of the pallium which he wears over bordered supertunica. To his right a bearded bishop, mitred, with cope over finely ornamented chasuble, footwear also ornamented, pouring the oil on the king's head out of the ampulla, which he holds with both hands. No crosier. To his left another bishop, cope over chasuble which is elaborately ornamented at the bottom border, placing the crown on the king's head with his gloved left hand (the fleur-de-lis misdrawn, too big and bent outwards, a mistake which is already to be noticed in I), his right hand raised blessing. No crosier. Frame slightly intersected by all three figures at bottom and at left and right edge. Tinting of vestments blue and green. This is perhaps the most expressive drawing, the movement appears natural and without affectation, the faces are sincere and more portraitlike than in any other of the illustrations. A possibly direct authorship of Matthew Paris cannot, in my opinion, be excluded. The advanced mastery of face drawing reminds me in many a way of a small figure drawing, a cutting from a slightly earlier hagiographical work which I found, in spring 1944, in the Ball Collection of illumination cuttings in the Hertfordshire County Museum at St. Albans.² This specimen (present size : $4\frac{4}{5} \times 4\frac{1}{5}$ inches) depicting a row of four nimbed saints. St. Cyprian, St. Vite, St. Stephen and St. Cormelius (Cormeilles), in faintly tinted outline drawing is definitely a work of exceptionally high order and dignity and reflects, particularly with regard to face drawing and the fine and minute completion of the vestments, evidently the tradition of the pictorial work of the famous Psalter of Westminster Abbey (B.M., MS. Royal 2 A XXII) which is,

¹ *Ibid.*, II, p. 121 (A.D. 1199).

² I have to thank the Curator, Mr. A. H. V. Poulton, for his kind permission to have it photographed and published.

PLATE I

ditiv et uic qui immittit uiam uia au
tharet ad maritum. scirem p de tra and a p
clini montis educte a ceteris debuki.



et filio dei regis conuerunt pontifici
Nam clere regni et populo ipm q; infra clo
ram gigantum et ore regis humauunt. Et
sed cubatus u' sit legionum archiepiscopate
atq; epis et magister; arthurum filium ei in

PLATE II



Fig. 12.—
Painting of a
wedding party,
in the
Museum
of
the
Government
of
Madras.
Photograph
by
H. H. Munro.

PLATE III

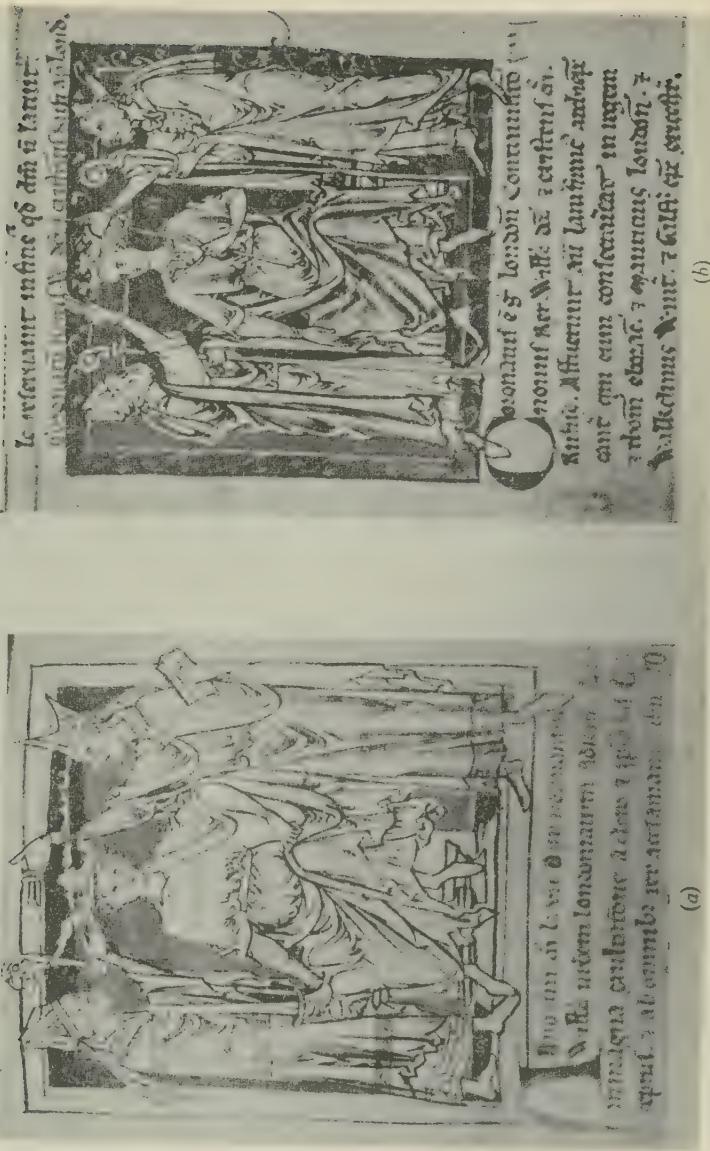


PLATE IV



(a)



(b)

PLATE V

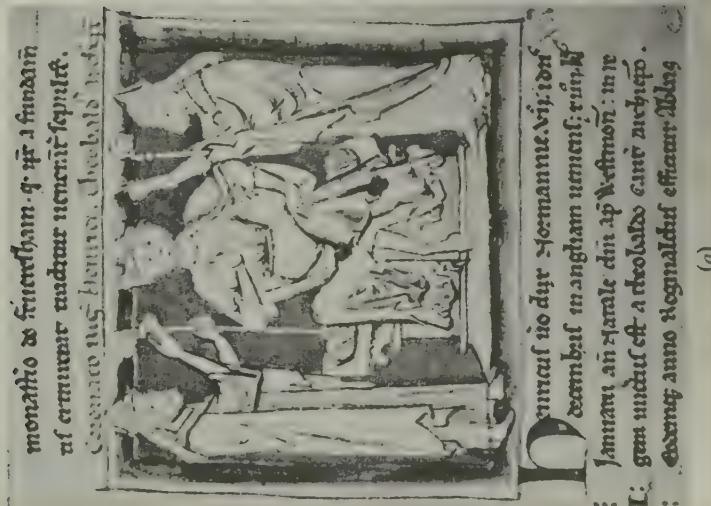
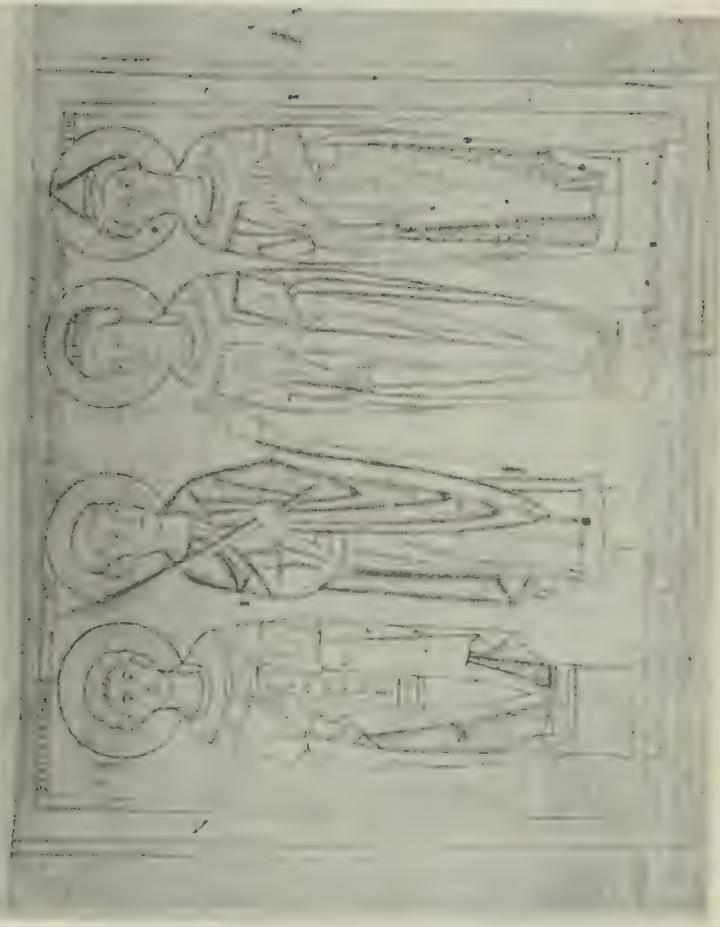


PLATE VI



PLATE VII



By permission of
C. W. M. Adams, Esq., F.R.A.S.

PLATE VIII



*By permission of His Majesty's Office of
Works, Ministry of Works and Buildings,
—Ancient Monuments Commission.*

as I attempted to show some little time ago,¹ not as old as it is generally believed to be and may be dated, with all necessary caution, to the very early thirteenth century. Its connection with St. Albans is a fact which can, particularly after the fundamental researches by M. R. James,² no longer be doubted seriously and which is sufficiently corroborated by five additional full-page drawings by Matthew Paris, to which recourse will be made in the concluding paragraphs of this paper. The drawing of the St. Albans Museum which most probably adorned, once upon a time, a St. Albans book, is figured on Plate VII. Plate VI, fig. A.

X. Col. 783³ CORONATIO REGIS AEDWARDI. Size : $2\frac{1}{10} \times 2\frac{3}{5}$ inches. No frame. Brickred background. Three figures. In the centre the king, full face, bearded, seated, his feet resting on the ground, with both hands holding his pallium at shoulder height. He is flanked by two coped and mitred bishops (the metropolitan bishop at Edward II's coronation was Archbishop Robert of Canterbury) placing the crown on the king's head with their left hands, the westernmost holding processional cross in his left, the easternmost holding crosier with his left across his body. Only floor and borders of the copes faintly tinted. A very rough and clumsy drawing, dating from *ca.* 1300 or even a little later. Hard and angular cast of folds. Note the disproportionately big and expressionless head of the king who sits in a helpless position between the two bishops who seem to approach him in an almost threatening manner. The picture has no connection with the School of St. Albans. Plate VI, fig. B.

The pictured work of the Westminster Chronicle is, as the foregoing 'Catalogue raisonné' may have shown, no more a uniform production than its text, though there seems to have been an agreement between authors, vic. compilators and draughtsmen, that no other events should be illustrated but coronations. That exclusively coronations were depicted proves only the paramount importance attached to that event in the life and work of the Kingdom. One thing, however, is certain :

¹ Hollaender, *op. cit.*, pp. 238 and 256.

² *La Estoire de Saint Aedward le Rei*, ed. *cit.*, pp. 33 seqq.

³ Luard, III, 44 (A.D. 1274).

All the drawings, except the last one, were executed at St. Albans ; they are the work of one and the same school. All of them reflect the same basic scheme of scenic composition, and it is almost certain that Matthew Paris had a hand in the design of most of them—only IV and V showing a very distinct individuality. But even Matthew Paris did not always draw upon his own original and sometimes capricious inventiveness. This is in particular demonstrated by works of his school, such as the illustrations to the Westminster Chronicle, to a greater extent, at any rate, than by the confirmed œuvre of his own hand. There are certain elements of style and conception which occur in earlier and contemporary works of another sphere. The central figure in all of our little drawings, the king seated, roots with regard to the rules governing its drawing, in works of the School of Westminster.

Among the paving tiles in the Chapter House of Westminster Abbey we find some very instructive specimens which we can safely submit as proof for our assertion. The motifs include three seated figures : that of a crowned and bearded king, seated on a cushioned chair, in his left hand holding the sceptre with large floriated head, with his right hand playing with a little dog ; a queen, in the same position, with her left hand holding a hawk by its feet (Plate VIII);¹ and an abbot, or bishop, seated, with mitre and crosier.² The late Professor W. R. Lethaby suggested that these tiles—the figures of the king and queen probably being those of Henry III and Queen Eleanor—were made about 1250, and that their designer, “one of the ablest figure painters of the time”, may have been no other than Master William, a monk of Winchester, who was later transferred to Westminster and described as the “King’s beloved painter”, who did, between 1240 and 1270, much work not only at Westminster Palace and Windsor Castle, but is also the artist

¹ Here my thanks are due to His Majesty’s Office of Works (Ministry of Works and Buildings) who have very liberally placed photographs of the two tiles at my disposal, and especially to Mr. J. C. Cox who has taken great trouble in providing them.

² See *An Inventory of the Historical Monuments in London*, Vol. I : *Westminster Abbey* (Royal Commission of Historic Monuments), London 1924, p. 81a, and Plate XVI ; J. G. Noppen, *Chapter House and Pyx Chamber, Westminster Abbey*, London 1936, pp. 27 seqq.

responsible for the wall-painting representing St. Faith at Westminster Abbey.¹ The Chapter House tiles strongly resemble in character those of a contemporary pavement which formerly existed at Chertsey Abbey (Surrey) and of which fragments have been found.² Both pavements were probably designed by the same artist. In any case, I do not think I am far wrong in calling the king-and-queen tiles the iconographical prototypes of the king seated in the coronation pictures of the *Westminster Chronicle*. It is not merely the strongly frontal attitude, but also the same cast of concentric curved folds, in the case of "King Henry III" it is, in particular, the position of legs and feet which we find again in the seated figures in illuminated MSS., as, for instance, the repeatedly quoted story of the Confessor, as well as Psalter-books of the Sarum group, especially the Amesbury and Wilton Psalter,³ whose artist has certainly drawn largely on the original pictured work of the *Westminster Psalter* (I mean that prior to Matthew Paris' additions) and to two early St. Alban books, a glossed Gospel book and an Epistle book at Trinity College, Cambridge (MSS. B. 5. 3, and O. 5. 8).⁴ The tall, elegant and slender figures of bishops and peers in II, III, IV and V remind me very much of the figures in the *Westminster Retable* which, though possibly executed in this country soon after 1250, clearly reflects earlier French tendencies of style, as regards attitude and drapery and, in some places, even small ornamental detail. It is almost certain that this retable was in its place on the high altar by 1269 when the church, rebuilt by Henry III, was consecrated, but it may have been commissioned and executed already about 1250 or not much later. Matthew Paris has most likely seen and admired it and there is no reason to doubt that he kept closest contact with the School of Westminster and the artists commissioned by the king with the execution of several works of figure painting, gilding

¹ Lethaby, *op. cit.*, pp. 3-4, and 13 *seqq.* According to Lane, *op. cit.*, p. 24, the floor was laid between 1253 and 1259, the figure of the abbot or bishop is perhaps Archbishop Richard of Crokesley.

² They are now in the Victoria and Albert Museum, London, Department of Ceramics. Lane, *op. cit.*, pp. 25 *seqq.*

³ Hollaender, *op. cit.*, pp. 239 *seqq.*

⁴ James, *Estoire, etc.*, Roxburghe Club, 1920, p. 34; Hollaender, *op. cit.*, p. 256.

and ornamenting, which had a deep and lasting effect on him. It was just as well, however, that he remained faithful to both the high artistic tradition of his own establishment and the old tradition of good codical pen-and-ink drawing in England.¹ There are quite a number of works of his own hand which may serve as a proof for the impulse which he received from earlier or contemporary creations. I may refer to the figure of Germanus of Constantinople with which he, in the *Chronica Majora*, illustrated the discord between the Greek and Roman Churches—the Patriarch, in mitre and cope and girded under-robe, sitting on a chair of the same pattern as that in the above-mentioned Cassibelaunus drawing, with right hand on beard and left on his lap, looking angry.² Furthermore, I may draw attention to his Christ in Majesty with the raised chalice, in the Chronicle written by his colleague and confrater at St. Albans, John of Wallingford (d. 1250),³ which, some years later, may have deeply impressed the Sarum Master when he conceived the ideas for his *Maiestas Domini* in the Amesbury Psalter.⁴ All these his drawings and, last but not least, his fully robed Archbishop and the tinted drawing of a king,⁵ which form part of the additional series of pictures to the Westminster Psalter and again occur on a reduced scale, quasi 'en miniature', throughout the *Chronica Majora*,⁶ and thus in the Westminster Chronicle, display, in their full and saturated splendour, an influence of the paintings at Westminster and earlier works of the St. Albans School. His originality and vigour added to all the elements of style and composition which he gratefully and wisely conceived from his artistic predecessors, the new elements : motion, rhythm, mastery of space, a golden

¹ See the excellent summary given by Dom David Knowles, *The Monastic Order in England*, Cambridge 1941, p. 531. I may mention that the School of St. Albans has not yet found its historian. William Page, F.S.A., "The St. Albans School of Painting, Mural and Miniature," *Archaeologia*, LVIII, London 1908, pp. 265 seqq., has remained an unfinished attempt dealing only with the mural side.

² Corpus Christi College, Cambridge, MS. 16, fol. 110a. James, *Drawings*, Walpole Society edition, XIV, 1926, p. 13, and Plate XIII, fig. 66.

³ B.M. MS., Cotton Julius D.VII, fol. 60b. James, *op. cit.*, p. 26, and Plate XXX, fig. 142.

⁴ Hollaender, *op. cit.*, pp. 243 seq., and Plate IX.

⁵ MS. Royal, 2 A XXII, fol. 219a. James, *op. cit.*, p. 25, and Plates XXVIII and XXX, fig. 143.

⁶ See above, pp. 363 and 369.

and indulgent humour and wit, thus transforming austere dignity and forbidding rigidness into Life and natural scenic effect. And what he conceived and held his own he liberally gave to the disciples of his scriptorium. A surviving evidence of his communicativeness is the pictorial work to the written Chronicle which, though somehow *per nefas* and fictitiously, merely by the nomenclature of English mediæval historiography, still bears his name.¹ Like the *Story of the Confessor*, it was illustrated under his supervision and guidance and, occasionally, with his personal collaboration, between about 1250, when he, with a mind full of fresh and fascinating impressions, returned from his diplomatic mission to Norway, and 1265, when the precious book left its kind home for an unknown reason and new continuators apparently decided that it was not essential to carry on with the pictorial adornation of a book whose most important part had not grown up in their own surroundings.

¹ See the article on "Matthew of Westminster", by W. H. Hunt, in the *Dictionary of National Biography*.

'THE LIFE OF JESUS: A SURVEY OF THE AVAILABLE MATERIAL. (3) THE WORK OF ST. LUKE'

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I HAVE put down Luke's work for this lecture because, on the whole, I think that in the true chronological order of the Gospels Luke should follow Mark and precede Matthew and John. Both Matthew and Luke make use of the early collection of sayings of Jesus known as Q¹: in the course of prolonged and detailed study of this source as preserved in Matthew and Luke, I have come to the conclusion that Luke used a more primitive rendering of the original Aramaic than Matthew. Similarly, both Matthew and Luke use Mark, but with a difference. Matthew produces a new, enlarged, and enriched edition of Mark, while Luke uses Mark as a quarry from which to extract such materials as he chooses to incorporate in a new work of his own. This suggests that by the time that Matthew wrote, the Gospel of Mark had attained a prestige (through its association with the name of Peter) which ruled out the possibility of cutting it about as Luke had done.

For the purposes of this lecture I shall assume as a working hypothesis that Luke and Acts are the work of the same writer, who is to be identified with one of the companions of St. Paul, covered by the 'We' in the 'We-passages' of Acts, and in all probability with the Luke who is referred to in Col. iv. 14;

¹ I think it probable that Q was put together in Aramaic about the middle of the first century as a manual of instruction for Christian converts. The original order is best preserved in Luke. The following portions of Luke should probably be assigned to the source Q (brackets indicate doubt): Lk. iii. 7-9, 16, 17; iv. 1-13; vi. 20-49; vii. (1-6a), 6b-9 (10), 18-35; ix. 57-62; x. 2, 3, 8-16, 21-24; xi. 9-26, (27-28), 29-36, (37-41), 42-52; xii. (1), 2-12, 22-34, (35-38), 39-46, (47-50), 51-59; xiii. 18-30, 34, 35; xiv. 15-24, 26, 27, (34, 35); xvi. 13, 16-18; xvii. 1-6, 22-37. For an attempted reconstruction of Q with a commentary, see *The Mission and Message of Jesus*, pp. 331-440.

Phm. v. 24; II Tim. iv. 11; and possibly (in the form *Λούκιος*) in Rom. xvi. 21.¹

I begin with a short consideration of the early Church tradition regarding the work of Luke. Most of it is available in very convenient form for English readers in a contribution by H. J. Cadbury to the *Beginnings of Christianity*, ii. 209-264. The first thing that strikes one about this material is the absence of any considerable body of very early testimony of the sort that cannot be explained as inference from statements in the New Testament itself. This is in marked contrast to what we found in the case of Mark; and it calls for explanation. The facts are as follows:

There is nothing from Papias. Eusebius gives us traditions preserved by the Bishop of Hierapolis concerning Mark, and (as Papias supposed) Matthew. But there is no word about Luke; and it is reasonable to suppose that Eusebius would have reported it, had it been available.

The Muratorian Canon, which may be taken to give the views current in Rome in the second century, and may perhaps be the work of Hippolytus, says:²

'The third book of the Gospel, according to Luke, Luke that physician, who after the ascension of Christ, when Paul had taken him with him as companion of his journey, composed in his own name on the basis of report. However, he did not himself see the Lord in the flesh and therefore as he could "trace the course of events" he set them down. So also he began his story with the birth of John.'

There is nothing here that could not be inferred from the New Testament (Luke, Acts, and Pauline Epistles) by an intelligent student of the text. This conclusion holds good in the case of Irenaeus, our other second century witness in Europe,³ who not only gives his conclusions but sets out the arguments by which they are derived from the New Testament.

The African and Egyptian Fathers add little or nothing.

¹ On the identification of the *Λουκᾶς* of Col., Phm., and II Tim. with the *Λούκιος* of Rom., and of both with the author of the 'We'-passages, see Deissmann, *Licht vom Osten*, pp. 372-377; H. J. Cadbury in *Beginnings of Christianity*, v. 489-492.

² Trans. Cadbury, *Beginnings*, ii. 211.

³ Cadbury, *ibid.*, ii. 212-221.

Tertullian lays great stress on the fact that Luke was one of Paul's followers. Clement of Alexandria mentions the theory that Luke translated the Epistle to the Hebrews into Greek. Origen tells us that Luke 'made for converts from the Gentiles the gospel praised by Paul'.¹ This last statement is again an inference, and probably an illegitimate one, from the passage in II Cor. viii. 18 where Paul speaks to the Corinthian community of sending to them 'the brother whose praise in the Gospel is through all the churches'. The brother is not named and there have been many guesses at his identity; but they remain mere guesses. The description given is quite ambiguous. What it means is that the brother in question has a great and widespread reputation as an Evangelist; but whether 'Evangelist' means a preacher of the Gospel or the composer of a gospel, we have no means of determining.² It seems that Origen was the first to interpret II Cor. viii. 18 of Luke and his Gospel: he has had many followers in ancient and modern times—Chrysostom, Ephrem Syrus, Eusebius, Jerome, Ambrose; and in more recent days Rendall, Plummer, Bachmann, and others. But the identification remains no more than a guess.³

The only early document to give particulars apparently independent of the New Testament is the anti-Marcionite Prologue to the Gospel. The credit for showing the date and importance of the anti-Marcionite prologues belongs to Dom D. de Bruyne, whose conclusions were published in the *Revue Bénédictine* for July 1928 (pp. 193-214), and accepted by Harnack in a paper published in the same year.⁴ Three Prologues are extant, to Mark, Luke, and John. All three are in Latin; but for Luke the Greek original has also survived. They belong to the second century and most probably to the time before Irenaeus. The Greek prologue to Luke runs as follows:⁵

¹ Cadbury, *ibid.*, ii. 227.

² For an excellent discussion of the problems raised by II. Cor. viii. 18, see E. B. Allo, *Seconde Épître aux Corinthiens* (*Études Biblques*), pp. 224 ff.

³ It may be remarked in passing that Origen here gives the four gospels in the order Matthew, Mark, Luke, John, which he evidently regards as the chronological order of composition.

⁴ SPAW, Phil. Hist. Kl., 1928, XXIV, pp. 322-341.

⁵ I translate De Bruyne's text as given by Harnack.

' Luke was a Syrian of Antioch, a physician by profession. A former disciple of the Apostles who afterwards accompanied Paul until his (Paul's) martyrdom, who served the Lord continually, unmarried, childless, he fell asleep at the age of eighty-four in Boeotia, full of the Holy Spirit.

' This man, when there were already Gospels in existence—that "according to Matthew", written down in Judaea, and that "according to Mark", in Italy—impelled by the Holy Spirit, composed this whole Gospel in Achaea, making clear by his Preface this very fact that before him other (Gospels) had been written, and also that it was necessary to set forth an accurate account of the (Christian) dispensation for the believers of Gentile origin, so that they should neither be disturbed by Jewish tales, nor, through the deceitful influence of heretical and empty imaginings, miss the truth. Accordingly at the very outset (of the Gospel) we have transmitted to us as being most essential (the account of) the birth of John, who is "the beginning of the Gospel". who was the forerunner of the Lord and shared in the preparation of the Gospel, in the baptismal instruction, and in the fellowship of the Spirit.¹ Of this dispensation a prophet, one of "The Twelve",² makes mention.

' And then at a later date this same Luke wrote the Acts of the Apostles, and afterwards John the Apostle, one of the Twelve, wrote the Apocalypse in the island of Patmos and after that the Gospel.'³

The strong anti-Marcionite polemic of this Prologue is evident at every turn. Against Marcion's reduction of the whole

¹ 'Shared . . . spirit.' The Greek text is *κοινωνὸς ἐν τῷ καταρτισμῷ τοῦ εὐαγγελίου καὶ τῇ τοῦ βαπτίσματος διαγωγῇ καὶ τῇ τοῦ πνεύματος κοινωνίᾳ*. The old Latin version has: *et fuit socius ad perfectionem populi, item inductionem baptismi atque passionis socius*. This implies *τοῦ λαοῦ* in place of *τοῦ εὐαγγελίου*, *εἰσαγωγῇ* for *διαγωγῇ*, and *παθήματος* for *πνεύματος*. Harnack follows the Latin in all three points, thus obtaining an easier text, which could be translated, 'shared in the preparation of the people, in the introduction of baptism, and in the fellowship of suffering'.

² Malachi. The Latin version says '*Malachiel propheta, unus de duodecim.*

³ The Latin adds 'in Asia'.

Bible to a mutilated edition of Luke and the Pauline Epistles, we have Luke himself brought in to testify to the existence of other Gospels. We have a strong insistence on the *complete* Gospel of Luke with all the things, the story of John the Baptist for example, that Marcion had deleted. We have the insistence on the Old Testament prophecy of the Forerunner. All this points to a time when the Marcionite dispute was a living issue, that is the second half of the second century.

Along with this obviously polemical matter we have a number of details about St. Luke, which do not serve in any way to grind the anti-Marcionite axe. We learn (1) that Luke was first a disciple of the Apostles ; (2) that subsequently he became a companion of St. Paul and remained with him till his martyrdom ; (3) that he wrote the Gospel in Achaea ; (4) that he was unmarried and childless ; (5) that he reached the age of 84 ; and (6) that he died in Boeotia. These details were not invented to help the case against Marcion. But equally they were not, for the most part, the product of arm-chair detective work on the text of the New Testament. The first two items might conceivably be guesses based on Luke's Preface, the narrative of Acts, and the references to Luke in the Pauline Epistles. The remainder could hardly have come in that way. Indeed anyone who made inferences from the New Testament would have had good reason to choose Macedonia or Caesarea or Rome as the place of writing of the Gospel and of the death of Luke, rather than Achaea or Boeotia. The fact that we have Achaea and Boeotia suggests that we have to do either with genuine tradition or pure invention. The same holds of the remaining details. The information that Luke was unmarried and childless could not possibly help the case against Marcion, who repudiated marriage and the procreation of children with horror and disgust.¹ Nor could these points have been deduced from Scripture. They are here either because they were invented by the author of the Prologue—and what purpose could the invention serve?—or because they were believed to be true statements. Similarly, there was no point in giving Luke's age when he died unless there was some ground for believing that that was in fact his age. We

¹ Harnack, *Marcion*, p. 97.

may conclude that there is at least a *prima facie* case for accepting the tradition as generally reliable.

As to its origin and date, De Bruyne has shown good reason for placing the composition of the Prologues in the second half of the second century and making their home at Rome. Harnack puts forward as alternative suggestions for the place of origin Achaea and Asia ; but he admits that Rome is more probable than these. I venture to propose a compromise solution to the problem. Accepting De Bruyne's arguments in favour of Rome as the place of origin of the Prologues, we may ask whence the personalia regarding Luke were obtained. And to that question the most obvious answer is Achaea. If details of this kind were to be preserved at all, it would most probably be in the place to which they were native. Moreover the information could easily have been transmitted to Rome. To name only one possible way, we know that the episcopate of Dionysius of Corinth overlapped that of Soter of Rome (c. 166-174), that Dionysius was a strong anti-Marcionite, and that he wrote at least one letter to Rome.¹ I suggest, therefore, that the Prologue to Luke was composed in Rome in the latter half of the second century on the basis of information supplied from Achaea.

The tradition makes Luke a Syrian of Antioch. We are bound to consider the relation of this statement to the well-known variant reading in the text of Acts xi. 28. In the R.V. Acts xi. 27 f. reads as follows :—

‘ Now in those days there came down prophets from Jerusalem unto Antioch. And there stood up one of them named Agabus, and signified by the Spirit that there should be a great famine over all the world : which came to pass in the days of Claudius.’

After ‘Antioch’ the Codex Bezae, with support from Latin MSS. and ecclesiastical writers, has :—

‘ And there was much rejoicing, and when we had been in conversation together, one of them named Agabus spoke signifying by the Spirit . . . ’

If this reading is genuine, it is the first of the 'We-passages' in Acts, and the inference is that the author of these passages (whom I regard as the author of the whole book) was associated with the community at Antioch at the time of this incident (c. A.D. 45). Naturally there has been considerable discussion of the relation between the variant in Acts and the tradition connecting Luke with Antioch. This mostly takes the form of asking whether the reading is derived from the tradition or the tradition from the reading. The former view was apparently held by J. H. Ropes;¹ the latter is regarded as more likely by Cadbury² and accepted by A. C. Clark.³ There is, of course, a third possibility, which seems to me to be more credible than either of the other two. That is that the tradition and the reading are independent of one another, that the reading is genuine and the tradition true, and that both depend on the fact that Luke was an Antiochene Christian who was a member of the church in that city at the time in question. If Luke was an early member of the Antiochene community, he would naturally come under the influence of the leaders of the Palestinian Church before attaching himself to Paul.

The result of our examination of the early tradition is that what there is seems to originate in one locality—Achaea. Along with this result goes the fact that while the other Gospels seem to be fairly firmly attached to leading centres of early Church life—Mark to Rome, Matthew to Antioch, John to Asia and Ephesus—Luke's Gospel has no such traditional connexion. It seems to me that both facts may be explained in the same way, that Luke's work in its final form was not done at the request of any particular Christian community for lectionary use in its worship, but that it was done on his own initiative for publication to the outside world. That this was the case seems to be clearly implied in the author's own preface to the Gospel, where he tells Theophilus—and through him all the other readers of the work—how he came to the decision⁴ to add one more to the existing

¹ See his note *ad. loc.* (*Beginnings of Christianity*, iii. 108).

² *Beginnings*, ii. 248.

³ *The Acts of the Apostles*, p. 348.

⁴ ἐδοξε καὶ μόλ : 'I also decided'. It is made quite plain that the job was not undertaken at the request of a Church or Christian group. There is nothing

accounts of the beginnings of Christianity. The statement of the Preface is corroborated (or interpreted) by the *Muratorian Canon*, which tells us that Luke 'composed' (the Gospel) 'in his own name on the basis of report';² and by the anti-Marcionite Prologue, which says that he wrote 'impelled by the Holy Spirit'.³ That is to say Luke's work was regarded by himself and by later Christians as a personal undertaking for which he took personal responsibility. Doubtless Luke himself, and certainly the author of the anti-Marcionite Prologue, believed that in taking this decision and carrying it out the Evangelist was guided by the Holy Spirit.

The upshot of the preceding discussion is that we should recognize in Luke-Acts the first conscious and deliberate attempt to write a History of Christianity, an attempt made by an individual on his own initiative, using materials collected by himself, intended for publication to the world outside the Church under the name and on the responsibility of the author. These conclusions are, in part at least, supported by the analysis of the documents themselves.

We may begin with the familiar and widely-accepted conclusions of synoptic criticism. First, that the Gospel of Luke incorporates a little over half of Mark; from which it at once follows that Luke, *in its present form*, is later than Mark. Second, that when the Marcan matter is removed from Luke, we are left with a body of teaching and narrative, some of which corresponds to and is often in close verbal agreement with non-Marcan sections in Matthew. This non-Marcan matter common to Matthew and Luke is assigned to a hypothetical source Q. It is clear that we can confidently claim acquaintance with Q only at those points where Matthew and Luke coincide in their borrow-

to suggest that the Gospel and Acts were put together as a kind of brief for the defence of Paul in his trial at Rome. All that the preface says is that Luke, for reasons that seemed good to him, made up his mind to tell the world what he knew about the ministry of Jesus and the early years of the Church. Later in this lecture I suggest a possible reason why Luke made this decision.

² *nomine suo ex opinione conscripsit.* The translation is Cadbury's. (*Beginnings*, ii. 211.)

³ προτραπεῖς ὑπὸ πνεύματος ἀγίου : Lat. *sanclo instigatus spiritu.*

ings from it. Either may also have borrowed passages which the other has left untouched. In these cases we may suspect that a passage in Matthew or Luke is from Q; but we cannot be sure. Again there may well have been sections of Q which neither Matthew nor Luke chose to incorporate. Here our ignorance is total. There may have been such passages. If there were, we know nothing about them; and we do not even know whether such passages existed or not. My own attempts to reconstruct Q have led to the conclusion that there are in Luke some 222 verses, which I should assign confidently to that source, and another 24 which *may* have come from it.

If we remove the Q material as well as the Marcan, the remaining matter in Luke is peculiar to this gospel. It includes the stories of the birth of John the Baptist and Jesus, an account of an incident in the Temple when Jesus was twelve years old, a genealogy of Jesus different from that given in Matthew, and large body of stories and teachings from the Ministry and the Passion. The late Dr. Streeter formed a hypothesis to cover the data presented by the analysis of Luke into its components. He suggested that the first draft of the Gospel consisted of matter from Q and matter peculiar to Luke, without the Marcan extracts and without the Birth and Infancy narratives. This first draft, which Streeter called Proto-Luke, opened with the elaborate time-reference at the beginning of chapter iii. It consisted of narrative and teaching and made a document about the same size as Mark. It seems to me that Streeter was right in his main contention that the document Proto-Luke was a definite stage in the composition of our Luke and that the next step was the incorporation of extracts from Mark into Proto-Luke rather than the expansion of Mark by the insertion of Proto-Lukan material.

A question of some importance still remains. Granted that Proto-Luke had a separate existence, what was the manner of its existence? Was it a heap of notes; or a properly written account of the Ministry based on all the materials then available (viz. Q and L); or a definite first edition of the Gospel, not only written down but put into circulation? The question was raised

by Dr. Headlam,¹ who, rejecting the idea of two editions, suggested that 'St. Luke had probably collected much material and planned his work before he came in contact with St. Mark's Gospel, which he would not do until he reached Rome'. Streeter, in reply to this,² said :

'All I am concerned to argue is that Proto-Luke was, and was originally intended as, a complete Gospel ; but it is quite likely that it was only meant for what in modern phrase would be called "private circulation".'

In considering this problem it is necessary to be clear about terms like 'edition', 'circulation', 'publication'. As I see it there were two kinds of Gospel-writing in the early Church. One sort of Gospel was produced primarily to meet the needs of the existing Christian community in a particular centre. It was composed for them and read to them or by them. If it later came to the knowledge of other Christian communities, that was something extra, which need not even have been foreseen when the work was done originally. I think that Q, Mark, Matthew (probably), and John (probably) were works of this sort. The second kind of Gospel, represented by Luke along with its continuation in Acts, was prepared for publication in our sense of the word, to instruct the outsider even more than to edify the Church member, though the latter aim is not excluded. As will appear later, I think that Luke-Acts was written and published by Luke to meet a particular emergency. But it is not necessary to suppose that Proto-Luke was either published in this sense (I don't believe it was) or even written with publication in this sense in view. It seems to me much more likely that Proto-Luke was written with the needs of the Christian communities in mind, though I do not think that it was written at the request of any particular congregation. The following hypothetical reconstruction of the history of Luke-Acts covers (I think) the data and contains (I hope) nothing incredible.

Credible tradition connects Luke with Antioch. It is probable, in my judgement, that the document Q and the earliest

¹ *Life and Teaching of Jesus Christ*, p. 20, n. 1.

² *The Four Gospels*, p. 221.

rendering of it into Greek also belong to Antioch.¹ Luke may well have possessed one of the earliest copies of Q in Greek. Now Q was essentially a manual of instruction for Church members ; and it seems to me that the process which produced Proto-Luke was first and foremost the effort of the working missionary Luke, the assistant of Paul, to make Q a still more comprehensive and effective manual of instruction. There were doubtless many opportunities for adding to Q, the greatest of all being the long stay in Caesarea when Paul was a prisoner there and Luke was in attendance on him. Later came the journey to Rome and a knowledge of the Roman Gospel of Mark. Mark had matter that was new to the author of Proto-Luke ; but it was not immediately necessary to appropriate any of it in a work of edification seeing that it was already available for that purpose in the Church. The advisability of adding Marcan material to Proto-Luke would only become apparent when the decision was taken by Luke to present to the non-Christian world a full-dress account of the Life of Jesus and the Beginnings of the Church. I think that the most obvious occasion for such a public defence of Christianity comes with the savage attack on the Church made by Nero in A.D. 64 and the Jewish war of A.D. 66-70. The publication of Luke-Acts could be placed at any time in this period of crisis (64-70) or in the years immediately following. Thus the process which begins with the possession of a copy of Q and ends with the publication of Luke-Acts may have occupied anything from fifteen to twenty-five years of Luke's life.

The fact that Luke borrowed rather more than half of Mark for his published Gospel provides us with an excellent test of his reliability as a transmitter of material which he collected. We can compare Mark with Mark-according-to-Luke, note, classify, and count up the editorial alterations,² and so reach conclusions which will be of help when we are dealing with other parts of the Gospel where the sources used have not survived in their original form. On the whole it may be said that the

¹ On Q see *The Mission and Message of Jesus*, pp. 307-312.

² This work has been admirably done by H. J. Cadbury, *The Style and Literary Method of Luke*, Pt. II, *The Treatment of Sources in the Gospel*.

examination tends to strengthen our confidence in Luke's faithfulness to his sources.¹

Again the method by which he combines materials from different sources is helpful to the student. For he does not, as a rule, conflate different accounts of the same incident or saying. His way is to follow one source at a time ; and the result is that his Gospel is in the form of successive layers of material drawn from the different sources. In some places, the Passion Narrative for example, the layers are thinner and more closely packed than elsewhere ; but, generally speaking, the structure is the same throughout, and it is not difficult to split the layers apart. This means that we have, as Streeter saw, a reasonable probability that Luke preserves his sources in something like their original order. My own dealings with Q-according-to-Luke tend to raise that probability for me to something like certainty.

So much can be gathered about the Evangelist's method of work from the study of his Gospel. Something can also be learned about his motives and purposes.

In the first place we have adequate reason for holding to the tradition that the author of the Gospel and Acts was Luke the companion and assistant of Paul. That being so, we may expect that the missionary motive will be strong. Nobody in whom the missionary motive was not strong was likely to remain long in Paul's entourage. And it is the case that nowhere in the New Testament outside the Pauline Epistles, is the missionary interest so strong and obvious as it is in Luke and Acts. Mark depicts as objectively as possible the Messianic Ministry, letting the facts speak for themselves. Matthew shows us the Messiah as Founder of the Church, who by his life and teaching lays down the Rule of Faith and the Rule of Life for the community. The Gospel of John is written 'that ye may believe that Jesus is the Christ,

¹ See F. C. Burkitt in *Beginnings*, ii. 106-120 ; W. L. Knox, *Some Hellenistic Elements in Primitive Christianity*, p. 9 : 'In general . . . he shows a remarkable fidelity to his sources . . . (It) seems . . . that Luke was often content to copy out his sources faithfully and was a very slovenly corrector. . . . On the other hand, from time to time we find alterations in which Luke betrays himself by a use of Greek which shines like a good deed in a naughty world both in the Gospel and in the Acts.' My own impression is that Luke's alterations are largely attempts to improve the language and style of his sources, and that this revising activity is least in evidence where the words of Jesus are concerned.

the Son of God; and that believing ye may have life in his name':¹ its object is to lead Christians to a right theological interpretation of the fact of Jesus Christ. On Luke-Acts I think the just word was spoken by C. H. Turner:²

‘The Gospel and Acts form two halves of a simple and connected scheme, and . . . in order to understand it we have only to attach to the two books some such labels as these: Λόγος α', “How Jesus the Christ preached the Good News to the Jews, and how after His Death and Resurrection He commissioned His Apostles to preach it to the Gentiles”: Λόγος β', “How they brought the Good News from Jerusalem to Rome”.’

This intense missionary interest is reflected in some of the characteristic features of the Gospel particularly in its universalism and its interest in the despised and outcast. Sayings, parables, and incidents are reported showing that the Gospel is for all and that it is offered first where the need is greatest. True, universalism and interest in the outcast and needy are not missing in the other gospels. Indeed, we have excellent reason for believing that they are an integral part of the Gospel in the mind of Jesus himself. But nowhere else are the points stressed and the examples multiplied as they are in Luke's work.

It is in Luke that the genealogy of Jesus is carried back beyond Abraham the father of Israel to Adam the father of mankind. It is in Luke that the infant Jesus is hailed as ‘a light to lighten the Gentiles’. It is in Luke that the first recorded sermon of the Galilean Ministry speaks of divine blessings conferred on a Sidonian widow and a Syrian soldier. The disciples are the light of the world:³ it is Luke who sees the function of the light as that of guiding people outside into the house, whereas Matthew sees it as that of giving illumination to those who are already in. In Luke's account of the Resurrection appearances of Jesus, a Christian mission to all nations starting from Jerusalem is declared to be part and parcel of the Divine purpose foreshadowed

¹ John, xx. 31.

² *The Study of the New Testament 1883 and 1920*, p. 30.

³ Luke xi. 33, compared with Matt. v. 15.

in the Scriptures and brought to fulfilment in the Ministry of Jesus and his followers.¹

Again it is Luke who embodies in his Gospel a whole series of teachings, parables, and stories, which I have called 'The Gospel of the Outcast'. I venture to repeat here part of what I wrote about it in *The Mission and Message of Jesus* (p. 574) :

'The L material in chapters xv-xix might be called in a special sense the Gospel of the Outcast. There is in this section a great concentration of teaching, chiefly in the form of parables, whose purpose is primarily to demonstrate God's care for those whom men despise and condemn. This appears very clearly in the three parables which together make up chap. xv, in the parables of the Poor Widow (xviii. 1-8) and the Pharisee and the Publican (xviii. 9-14), and in the story of Zacchaeus (xix. 1-10). This divine love for the unloved and unlovable is, indirectly, the condemnation of the harsh and censorious attitude taken towards these unfortunates by more righteous folk. That the righteous fail from lack of kindness and human sympathy, and spoil themselves by pride, is one of the lessons of such passages as Luke xvi. 1-8, 14 f., 19-31; xviii. 9-14. Again it is taught that even from the most unpromising people there can be a genuine response to kindness and understanding (xvii. 11-19; xix. 1-10). In Luke's arrangement this mass of material leads up to the account of Passion Week : it is as though the whole of Luke from chap. xv. onwards were written to illustrate the Pauline text, "God commendeth his own love toward us, in that, while we were yet sinners, Christ died for us".'

A third point which deserves to be noticed is the extent to which Luke's editorial activities serve the purpose of 'putting the Gospel across' to the Graeco-Roman world. In a most interesting and instructive study² recently published Canon W. L. Knox makes a great deal of the missionary motive as a factor in the Hellenization of the Gospel. 'The Gospel must be preached to all the world ; it had therefore to be translated into the Greek language and accommodated to the general theological

¹ Lk. xxiv. 47.

² *Some Hellenistic Elements in Primitive Christianity*—the Schweich Lectures for 1942.

conceptions of the hellenistic world, and worked out into a coherent scheme of thought'.¹

Alongside the missionary motive and equal to it in importance is the apologetic interest. Luke-Acts is the first publication in defence of Christianity against suspicion, misunderstanding, and misrepresentation. The defence makes two principal points.

The first is that the Christian community is not to be associated with the contemporary Jewish community. All the Gospels have something to say about the incompatibility between Jesus and his people, between his Messianic hope and theirs. The opposition was a fact and Jesus himself was well aware of it and spoke of it. But none of the Evangelists gives it the prominence that Luke gives it: none produces so many instances of Jewish neglect, ingratitude, and hostility. It is Luke who, in his version of the parable of the servants left in charge of their master's property, provides the additional detail that the master was claiming a throne and that his prospective subjects rejected his claim.² It is Luke who records the bitter saying that Jerusalem must not be deprived of her rights in the matter of murdering prophets.³ It is Luke who records the enigmatic conversation about the swords,⁴ which, whatever else it means, certainly presupposes bitter hostility between the Disciples and their fellow-countrymen. It is Luke who shows us Jesus weeping over a Jerusalem that would make no effective response to his appeals.⁵ It is Luke who records the healing of ten lepers of whom only one, and he a Samaritan, returned to say Thank you.⁶ In the story of the Passion it is Luke who tells us of the contemptuous dismissal of Jesus by Herod Antipas,⁷ and takes great pains to show that the condemnation by Pilate was forced from him by the violence and clamour of the Jewish mob.⁸ On the other side, it is Luke who gives us the picture of Jewish mourners as Jesus goes on the way to execution;⁹ but even here it is only the women who show sympathy. The story of hostility is continued in Acts in a long series of incidents both in Palestine and

¹ *Op. cit.*, p. 1.

² Lk. xix. 12-15a, 27 (L).

³ Lk. xiii. 31-33 (L), 34f. (Q).

⁴ Lk. xxii. 35-38 (L).

⁵ Lk. xix. 41-44 (L).

⁶ Lk. xvii. 11-19 (L).

⁷ Lk. xxiii. 6-12 (L).

⁸ Lk. xxiii. 18-23 (L).

⁹ Lk. xxiii. 27-31 (L).

in the synagogues of the Dispersion. From beginning to end Luke-Acts is out to show the width and depth of the breach between Jesus and his Jewish contemporaries, between the Synagogue and the Church.

There are two things to be said about this. The first is that it is reported because it was fact, and a very important fact in the story of the Ministry of Jesus and the Early Church. The second point is that we must ask ourselves why Luke not only reports the fact but underlines it, continually reminding the reader that the Church has nothing to do with contemporary Judaism for the simple and conclusive reason that contemporary Judaism will have nothing to do with the Church, rejecting the Gospel of Jesus the Messiah just as it had rejected Jesus the Messiah himself and compassed his death at the hands of Pilate. And it is to be noted that Luke is no Marcionite before Marcion. He sets forth Jesus as the fulfilment of all the Divine promises in the Old Testament. The breach is not between the Old Covenant and the New but between Jesus and his Church on the one side and first-century Judaism and the Jewish Community on the other. This breach was a fact. At what time or times was it important to impress the fact upon the Imperial Government and the Graeco-Roman public? To put this question in this way is to get a clue to the date of Luke-Acts.

The matter can be put in this way. In the early days of the Church there were strong inducements to maintain a connexion with official Judaism and indeed to incorporate all converts into the Jewish nation. For the Jewish nation occupied a privileged position in the Roman Empire so far as religion was concerned; and the privilege enjoyed by the nation as a whole could be claimed by any local Jewish community.¹ It is probable that the strong desire of a large section of the Early Church to hold on to their Jewish affiliation was not unconnected with the wish to have the status of a *religio licita*. At the same time there is a certain amount of evidence that some members of the early Church cherished the hope of the return of Jesus in glory in a form that differed little if at all from current Jewish Messianic hopes. It is likely enough that the two groups coincided or overlapped,

¹ See Juster, *Les Juifs dans l'Empire Romain*, i. 246, 422, n. 8; Tertullian *Apol.*, xxi. 1.

that a desire to remain affiliated to Judaism and a cherishing of the hope of the Parousia in Jewish Messianic form went together. The position was never easy to maintain : it was assailed from both sides—by the orthodox Judaism of the Synagogue and the radical Christianity of Paul. But it seems to have survived until the Jewish War of A.D. 66-70 killed it.

I venture to think that it was that disastrous revolt against the Empire that made it important to say to the Roman Government and people : ‘ Not only have we no share in this enterprise ; we are not a part of the Jewish community at all. Long ago the Jews rejected Jesus, and the synagogue has been doing its best ever since to be rid of his followers. Our Founder was accused of seditious activities against the Empire ; but the Procurator declared the charge to be unfounded.¹ Our leading missionaries have been examined by Roman magistrates and whenever the hearing has been before a man of courage and independence of mind, it has been made clear that the Christians harbour no designs against the peace and security of the Empire. It is true that we speak of a ‘ kingdom of God ’ and a Messiah, just as the Jews do ; but our Messiah is no rebel against Rome, and the kingdom of God that we preach is a spiritual kingdom. So far as the Empire is concerned, Christianity is politically innocuous.’ Something like that Luke-Acts is trying to say.

In the seventies of the first century it might well have seemed an urgent task to clear the Church of any suspicion of being mixed up with the rebellious Jews. I doubt whether a like urgency would be felt again before the later years of Domitian’s reign in the nineties. But by that time the collection of the Pauline letters was going ahead, as we can see from *I Clement* ; and there is nothing in Acts to incline us to the belief that its author had access to those documents, all or any of them. I venture to think that this practically certain ignorance of the Pauline epistles is a stronger argument against the later date than a problematical acquaintance with the *Antiquities* of Josephus can be for it.²

¹ Lk. xxiii. 2-5.

² This paragraph and part of that which follows are taken from my Presidential Address to the Oxford Society for Historical Theology. The Address is printed in the *Proceedings* of the Society for 1941-42, and I am grateful for permission to make use of these paragraphs here.

Suppose then that Luke, in the seventies of the first century, sits down to write a history of the Christian movement. Suppose that the tradition is true and that the work is being done somewhere in the province of Achaea. What helps are available for the work and what hindrances stand in the way at this *early* date? For his account of the life and teaching of Jesus he has his own copy of Q enriched by all the additional material collected during a quarter of a century of Christian work. He has the Roman Gospel of Mark, which, if my dating is correct, was already in existence when Luke came to Rome with Paul. He has some other pieces of narrative dealing with the birth of John the Baptist and Jesus and the childhood of the latter, and a genealogy of Jesus. The materials are not very abundant, and, because of the way in which they were collected, there is no guarantee that they are in chronological order.

That brings us to a great handicap under which Luke had to labour. Not only were his materials scanty : it was also very difficult—indeed almost impossible—even at this relatively early date, to supplement them or to obtain clarification where the data were confused or inconsistent with one another. For example, Mark gave an account of the conversation between Jesus and the Jewish lawyer about the greatest commandment in the Law.¹ Here Jesus himself gives the answer to the question. But Luke's note-book contained an independent account² of a conversation on this subject, only in this case the answer is supplied by the lawyer. What is the evangelist to do? Treat them as separate incidents and record both? Or take them as variant accounts of one and the same incident and then decide which is the more accurate? But in that case how is the decision to be made? The witnesses who might settle the point are no longer available. Some of the original Disciples are dead. Jerusalem is destroyed and the remnants of the Mother-Church of Primitive Christendom are beyond Jordan at Pella in the Decapolis. The only kind of research that could be of any use to the Evangelist would involve long journeys for himself or his messengers and inevitable delay in the completion of the work ; and I think we have good reason to suppose that Luke thought his task urgent.

¹ Mk. xii. 28-34.

² Lk. x. 25-28.

In the particular case we are considering he preferred the version of the Great Commandment conversation which he had in his own note-book to that offered by Mark. We don't know on what grounds : we may suppose that he just relied on his own judgement. In some such way Luke's Gospel and the Acts got written, the author doing his best with the materials at his disposal. And—this is the point—even as early as the seventies it is doubtful whether anything much better could have been done.

It seems to me that somewhere about A.D. 65 there is a dividing line. Before that date it was comparatively easy to pick up first-hand information about the Ministry of Jesus and the early history of the Church, particularly if the enquirer could go to Palestine and conduct his researches on the spot. Afterwards the difficulties increased very rapidly, and after A.D. 70 they were almost insuperable.

There are two matters bearing on the date of Luke's work that ought to be considered before we leave the subject. They are the abrupt ending of Acts and the alleged dependence of Luke on the *Antiquities* of Josephus. If the latter point were established it would compel us to put the composition of Acts in the last years of the first century. The essential facts are stated clearly and fairly in *The Beginnings of Christianity*, ii. 355-358. The strongest statement of the case for Luke's dependence on Josephus is that of F. C. Burkitt in his book *The Gospel History and its Transmission*, pp. 105-110. On the other side Eduard Meyer¹ found the arguments completely unconvincing. The verdict of the editors of *The Beginnings of Christianity* and Professor Cadbury is that 'the case (for dependence) will always rest on three passages, and it is safe to say that they can never be completely explained away, yet will never convince every one'.² I must confess that they do not convince me.³

¹ *Ursprung und Anfänge des Christentums*, i. 47 ff.; ii. 404 f.; iii. 11.

² *Beginnings*, ii. 356.

³ I give my reasons in barest outline. (1) Of the three cases of alleged dependence, only the first need be taken seriously. This is Acts v. 36 f., where Gamaliel is made to refer to the Jewish uprisings led by Theudas (during the procuratorship of Fadus, c. A.D. 44-46) and Judas the Galilean (in the days of the census under Quirinius, c. A.D. 6) in this order. (2) It is clear that, at the time

The ending of Acts has given rise to much debate. The essence of the matter is simply this, that the whole course of the narrative of Acts from the moment when Paul sets out on the last journey to Jerusalem seems to be leading up to the grand climax of the trial of Paul in the Imperial Court at Rome. The reader is prepared by full accounts of the proceedings in the courts below for the final scene in which Paul will give his testimony before the supreme tribunal of the Empire and achieve either a triumphant acquittal or a glorious martyrdom. But the climax never comes. We are left with a picture of Paul waiting for his

when Gamaliel is supposed to have spoken, the revolt of Theudas was still in the future ; I should say more than ten years in the future. It follows that this is a case where Luke has put into the mouth of the speaker sentiments which he considered suitable. He is therefore presenting cases of fruitless rebellion of which he had heard. (3) His first example, Theudas, is introduced by the words *πρὸς γὰρ τούτων τῶν ἡμερῶν*. This expression occurs again in xxi. 38, where it evidently refers to an event in the very recent past. It is arguable that that should be the meaning here, that Luke knew that the Theudas revolt had taken place somewhere in the period covered by Acts i.-xii, and mistakenly thought it came before the date of Gamaliel's 'speech' rather than afterwards. We should then take *πρὸς τούτων τῶν ἡμερῶν* to mean 'in the recent past'. That involves a reconsideration of the *μετὰ τοῦτον* which introduces Judas the Galilean. If the argument so far is sound *μετὰ* cannot here mean 'after', for Luke must have known that the Judas who raised a revolt in the days of the census could not be 'after' the Theudas who revolted recently. But *μετὰ* c. acc. pers. can mean 'besides', 'in addition to' (Moulton and Milligan, *Vocab.* s.v.). I suggest that the *μετὰ* here means to say, 'my next example is . . .'. (4) But even if this be rejected, there are insuperable difficulties in supposing that Luke constructed Acts, v. 36 f. out of the data supplied by Josephus in *Ant.* xx. For (a) Josephus says that the revolt of Theudas took place when Fadus *was procurator*. (b) Josephus does not say that the revolt of Judas took place after that of Theudas ; but that the execution of two sons of Judas occurred during the procuratorship of Tiberius Alexander the successor of Fadus. (c) Both Josephus and Luke state explicitly that the revolt of Judas took place at the time of the census. By that Josephus means the census of c. A.D. 6, made during the procuratorship of Coponius the first procurator of Judaea. Luke evidently thinks—rightly or wrongly—of an earlier census taken while Herod the Great was still on the throne. In either case there was no procurator before the procurator of the census of A.D. 6. And in either case it is incredible that Luke should have supposed that the Theudas revolt in the procuratorship of Fadus took place before the census, that is, before there was any procurator of Judaea at all. (d) In a word, the theory requires us to suppose that Acts v. 36 f., is based on Josephus : I cannot see how any intelligent person could possibly produce Acts, v. 36 f., as it is usually interpreted, out of the passage in Josephus. If that is so, we are driven back to the alternative suggested in (3).

case to be called, carrying on missionary work in Rome while he waits ; and the story just peters out. Various explanations have been proposed : an excellent summary of them is given at the end of Lake and Cadbury's commentary on Acts.¹ In many ways the most attractive solution is that defended by Lake² and Ramsay,³ that the trial itself petered out because no one appeared from Jerusalem to prosecute within the period—whatever it was : two years or eighteen months—during which an appearance could be put in. If this is the right answer, it explains why there is no triumphant acquittal or glorious martyrdom for Paul. It just did not happen in that way.

But if we accept this solution, certain consequences follow. The first is the release of Paul ; and the question at once arises, what did Paul do next ? To this question varied answers are supplied directly or indirectly by the Pastoral Epistles, the apocryphal *Acts of Paul*, the *Muratorian Canon*, the *Vercelli Acts of Peter*, and *I Clement*. The Pastorals imply activity in various parts of the Mediterranean area, the *Acta Pauli*⁴ seem to describe what might be called the 'Fourth Missionary Journey' covering the ground from Damascus to Rome and ending in martyrdom. The *Muratorian Canon* and the *Vercelli Acts of Peter* both send Paul off to Spain in fulfilment of the plan mentioned in Rom. xv. 22-29, and *I Clement* also is widely believed to imply the journey to Spain.⁵ This is not the place to enter into a discussion of the value of these different stories ; and indeed, competent scholars differ widely in their estimates. The main point is that while the stories differ as to how the Apostle spent his time after the two years in Rome, with which Acts closes, they all assume that he had some time to spend. That is to say,

¹ *Beginnings*, iv. 349 f. This should be supplemented by the further discussion by Cadbury, *Beginnings*, v. 326-338.

² *Theologisch Tijdschrift*, xlvii. (1913), pp. 356 ff, repeated with additional matter in *Beginnings*, v. 326-338.

³ *Expositor*, March 1913, pp. 264-284 ; *Teaching of Paul in Terms of the Present Day*, 346-382.

⁴ I cannot think that the *Acta Pauli* are meant to describe anything but the period between the end of Acts and the death of Paul.

⁵ The case against this interpretation of the τέρμα τῆς δύσεως in *I Clem.* v. is most strongly argued by P. N. Harrison, *The Problem of the Pastoral Epistles*, 107 f.

there was, by the end of the first century or early in the second a fairly widespread tradition that the Roman captivity of Acts did not end with an execution.

Luke is silent about all this, and we may make conjectures about the cause of the silence. They will be no more than guesses. I am not prepared to engage in conjecture on any large scale ; but I will venture the surmise that Luke tells no more because he knew no more. It may be the case that at some time during the two years in Rome, or at the end of it, Luke was sent back to Greece and so lost sight of any subsequent activities of Paul. This would not be at all surprising when we consider how little Luke has to say about Paul's doings when they were separated at earlier times in the missionary career of the Apostle. If Paul was released and set out on new adventures, and Luke was where tradition says he was, in Achaea, it is quite possible that he did not hear what Paul was doing or where he went. And Luke does not use his imagination to fill up gaps in his information. There is, however, one event that would probably not have escaped the notice of Luke, wherever he might be : that is the martyrdom of Paul. The fact that Luke has nothing to say about it, supposing that it occurred anywhere near the dates usually given for it, is very difficult to explain ; so difficult as to call for a reconsideration of the traditions which are held to testify to it. But this is not the place to begin that enquiry.

To conclude, the internal and external data seem to me to be satisfied if Luke-Acts was the work of Luke, the companion of Paul, written in Achaea round about A.D. 70 as a public defence of the Christian Church against the suspicion of being mixed up with the rebellious Jews, and a public assurance that the Christian Gospel was no seditious propaganda but a message of universal peace and goodwill.

THE CONCEPT OF MENTAL MATURITY.¹

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THE events of bodily growth, though not entirely observable, are usually beyond dispute. The fact of its completion, though there may be differences of judgment concerning the time at which it happens, must eventually be unmistakable. In contrast, mental maturity is not so easy to recognise or to describe. The few psychologists who have studied it seem to have conceived it variously, and perhaps in so doing they have manifested their own mental make-up and culture-pattern. So it may be interesting to examine some of the differences between their concepts. In Webster's *Collegiate Dictionary* 'mature' and 'ripe' "imply fullness of growth"; 'mature' "emphasises the completion of a development", 'ripe' "suggests rather readiness for use or full fruition".

Work upon this problem is complicated by the current use of two terms: 'maturity' and 'maturation'. Maturation often seems to be reserved for an event occurring in relatively early periods of life, e.g. certain co-ordinated performances are impossible to a baby because the nerves have not yet acquired their myelin sheath, i.e. are not mature. Indeed Dr. Charlotte Bühler's *From Birth to Maturity*² appears to equate maturity with completion of physiological sexual development.

More complicated notions of mental maturity are conceivable. There are, apparently, still psychologists who regard life chiefly from its cognitive aspect, and their view might be that a child is mature when its mental age has ceased to increase. Yet the use which a person makes, in a special social situation, of the kind of intelligence measured by current 'intelligence tests', is sometimes more important than its degree;³ indeed, further

¹ Amplified from notes of a lecture delivered in The John Rylands Library, Manchester, on the 8th March, 1944.

² London, Kegan Paul.

³ Cf. J. C. Hill, "A Criticism of Mental Testing", *British Journal of Medical Psychology*, 1938, Vol. XVII, pp. 258-272.

consideration of the nature of mental maturity may cast much needed light upon the validity of the concept of 'mental age'. A mature person may be one who, confronted with a particular situation and knowing 'what is what', can carry out the wisest rather than the smartest action.¹ Such a choice may be complexly related to considerations of short and long term policy. Here the concept of mental age overlaps with that of culture-pattern.² Maturity³ is obviously related to individual temperament and character.⁴ It involves the growth of sentiments (especially master-sentiments) and their integration.⁵ In some existing civilisations it might even be regarded by us, viewing it from afar, as resulting from integration of complexes as well as sentiments; the shaman who might be judged highly neurotic by our own psychiatrists may be the respected wise man of a Siberian community.

Obviously, maturity is an ethnocentric concept; indeed, in the English culture-pattern it seems that some writers in discussing it have unconsciously taken certain norms of the Christian religion as criteria.

It seems remarkable that about such an obviously important subject so little has been published. But a recent remark by an R.A.F. officer upon my little book, *The Maturing Mind*, illustrates one relevant fact. A woman cadet had asked him to suggest books upon education for young adults. Among others, he mentioned mine. She answered, " *The Maturing Mind*? That doesn't apply to me. Would 'they' have considered me for a commission if my mind was immature? " This illustrates that during this war, maturity is being judged with reference to certain values which are taken for granted. After the war,

¹ T. H. Pear, *The Art of Study*, Kegan Paul, pp. 3, 4.

² Ruth Benedict, *Patterns of Culture*, Harrap; T. H. Pear, "Culture Patterns in Modern Life", *Biology and Human Affairs*, Vol. X, No. 1, 1944, pp. 3-10.

³ For the rest of this article 'maturity' will mean mental maturity, unless otherwise stated.

⁴ Cf. G. W. Allport, *Personality*, London, Constable; Kretschmer, *Physique and Character*, London, Kegan Paul; W. McDougall, *Character and the Conduct of Life*, London, Methuen.

⁵ T. H. Pear, "The Modern Study of Personality", this BULLETIN, 1938, Vol. XX; *Religion and Contemporary Psychology*, Oxford University Press; *The Maturing Mind*, Nelson.

if the experience of 1919 is anything to go by, persons whom the Government regards as mature (it refers to 'men' of 18½, while refusing them the vote) may be judged immature by peace-time standards. Dr. Edward Glover has said that war is essentially a schoolboy affair, conducted by boys for boys. It will be interesting to see if the present participation of so many women in warfare will alter the popular views of war when peace comes.

'Maturation' is occasionally used to designate merely a stage on the road to maturity. For example, Professor Arnold Gesell and Dr. Helen Thompson,¹ studying identical twins, trained one, T, for six weeks to climb some steps. The other, C, was not practised in this way. After 4 weeks' training, T climbed without help, but at 53 weeks, C climbed without any training. Moreover, at the end of the practice period, T's climbing was chiefly crawling, while the unpractised C walked up the steps. The dependence of successful learning upon the level of maturation is said to be even more pronounced with intellectual than with physical activities.

Professor Cyril Burt employs the concept of maturation in reference to school-leavers. He cites the non-physiological signs of maturity; the individual is regarded as a new man rather than as an old child, he is independent of parents (sometimes really and sometimes in phantasy), he shoulders an adult worker's responsibilities, meeting equals, superiors and the opposite sex in a new way. It is significant that when teachers at different types of institution were asked to give the average age of mental maturity their answers were 14, 17-18, 19-21 and 22-23.² This throws light upon the differences of opinion which arise among tutors in colleges and universities.

Dr. Marie Jahoda, an Austrian social psychologist, who spent some months in a West of England factory,³ was impressed by the influence of industrial life upon the value-system of young English girls. At the age of fourteen they came straight

¹ "Learning and Growth in Identical Twins", *General Psychology Monographs*, Vol. VI, 1929, Worcester, Mass.

² *British Journal of Educational Psychology*, 1943, Vol. XX, pp. 127-8.

³ *British Journal of Psychology*, 1941, Vol. XXXI, pp. 191-206.

from the school into the factory. In school the 'right' standards had been intelligence and undisguised cleverness ; since scholarships and examination success meant so much to the pupils, distinction was reckoned by intellectual achievement. While it was 'right' to respect elders because of their age, 'wrong' standards included attention to one's personal appearance except for purposes of cleanliness and tidiness.

Factory life contradicted this value-system at every single point. The child of fourteen was expected to feel superior to the older woman with less nimble fingers. This feeling was linked with pity, but not with respect. Much time and money were spent upon personal appearance. Too hard work by an individual might make matters difficult for others. A complicated half-unfriendly attitude towards foremen and forewomen was expected. The school-leavers learned the new code by imitation completely in a couple of months, yet the new value-system did not completely destroy the old one. If one of these new workers were to join a girls' club or political party she might share two or three types of behaviour, possibly without realising the fact. Such a system leads to conflicting group loyalties ; an important fact scarcely studied as yet.

Dr. Alan Maberly¹ uses the concept of social maturation. He points out that at present the English school is dominated by academic standards within the conventional teacher-pupil framework. This is acceptable only to highly intelligent pupils for whom these standards are valid. Consequently such children are often late in maturing. For the group of average and low intelligence, prolongation of life in such an atmosphere entails feelings of enforced inferiority and inadequacy, together with a probable hold-up in emotional and social development, especially in normal direct unconscious adaptation.

He considers that this raises two questions ; whether the conscious approach to citizenship is the right one for the majority, and whether class-work is the best method of education for the average adolescent. Since some forms of juvenile delinquency are obvious manifestations of social immaturity,² his views on the subject are suggestive.

¹ In an unpublished paper to the British Psychological Society.

² Cf. also The Vineland Scale of Social Maturity.

Dr. May Smith illustrates the concept of emotional maturity in her *Introduction to Industrial Psychology*.¹ Two types of emotionally immature people occasionally find their way to high administrative places. One, for obvious reasons, she calls the 'Peter Pan' type. He works off his emotions immediately, regardless of time and place. The other, 'Jack Horner type,' requires an audience but cares little about its constitution or quality. An emotionally adult executive, she writes, is sympathetic, but if necessary can be stern. Such ideas are developed more fully in her joint production with Professor Millais Culpin in *The Nervous Temperament*.²

The view of a mature person as one who can command and control others is widely held in England. An argument often advanced on behalf of the public schools, or of the feudal-village pattern of English country life, is that no other system has produced boys who have such special capacity for leadership and self-reliance.³ About a year ago, to an inquiry concerning the fitness of the present-day public school product for commissioned rank in one of the Forces, the answer was given that they are usually much more 'mature' (the term was undefined) than the average 'other rank'. They usually make better officers because they have high 'general intelligence' ('g', in the technical sense of modern psychology) and probably because they are already more used to responsibility. They also have a higher level of literacy—and verbal and arithmetical tests correlate better with proficiency at almost any 'service job' than do non-verbal 'g' tests or tests of mechanical aptitude. The poorest 10 per cent. as selected by these verbal and arithmetical tests were described by the instructors as 'dull and flat'.

To some, this view may seem based upon self-evident truths, yet it has been criticised. For example, Dr. F. H. Spencer, late Chief Inspector (Education) to the L.C.C., writes in his recent book,⁴ *The Public School Question*, that he has done his

¹ London, Cassell, 1943.

² 1930, Report No. 61 of the Industrial Health Research Board, H.M. Stationery Office.

³ Cf. T. H. Pear, "Psychological Aspects of English Social Stratification", this BULLETIN, 1942, Vol. XXVI.

⁴ London, Pitman, 1944, pp. 18 ff.

best to get the evidence for this claim and has concluded that it cannot be established in any comprehensive form. Though we cannot discuss personalities here, he does, and concludes that our present leaders did not derive their power of leadership from the public schools . . . they got it by the gift of nature, and probably by heredity as well as money-provided opportunity. He continues :

Were qualities of leadership derived exclusively or predominantly from the public schools, then the Navy would be without leadership ; for, in the normal case, the officer in the Navy or the Merchant Navy is not a public school product. For the Navy he has been trained at the Royal Naval College, Dartmouth, or its predecessor at Osborne. His training, shorter than that of a public school, has a strong technical bias. In fact, the Navy, in which initiative and powers of leadership are characteristic from top to bottom, provides the supreme example of the success of a vocational institution. In producing leadership its direct cultivation in naval education seems to excel the indirect methods of the public school.

Further, naval education helps us to realise how by segregation and suitable training we can turn the normal boy or girl in almost anything we like to make him or her. This is at once a vital and a dangerous fact, which in England we have not fully realised ; but it has been realised and acted upon by the International Gangsters of Europe. We must leave this tempting topic, asking the question : Who has more definite power of leadership than the master of a tramp steamer, and where was *he* educated ?

Even if all the kinds of leadership necessary to-day in the fighting forces be regarded as the highest (this view, comprehensible in war-time, has seldom held its own in peace) it should be remembered that the present war and the events leading up to it have demanded many types of leader. The Russian Army has not drawn its officers from institutions resembling English public schools. There have been brilliant Nazi leaders. Mussolini's powers of direction were highly praised by some, even in England, until Italy attacked France. In that country millions regarded Pétain as a highly successful leader. Apparently he achieved emotional maturity at least sixty years ago.¹

In contrast, a few maintain that some of our public schools and universities induce permanent adolescence in many of their products.

¹ Cf. Janet Flanner ; *Pétain the Old Man of France* (Simon and Schuster).

In *Enemies of Promise*,¹ Mr. Cyril Connolly writes :

Were I to describe anything from my feelings on leaving Eton, it might be called The Theory of Permanent Adolescence . . . that the experiences undergone by boys at the great public schools, their glories and disappointments, are so intense as to dominate their lives and to arrest their development. When I first left Eton . . . the nightmare took the form of everyone, after my place had been filled, my gap closed over, having to pretend they were glad I had returned. As time went on, nobody remembered me, and the dream ended with my ejection. I have found other old Etonians who have had the same experience ; some dream they are back in their old rooms, while their wives and children hang about outside to disgrace them.

. . . We enter the world, trailing clouds of glory ; there follow childhood and boyhood and we are damned. Certainly growing up seems a hurdle which most of us are unable to take, and the lot of the artist is unpleasant in England because he is one of the few who, bending but not breaking, is able to throw off these early experiences, for maturity is the quality that the English dislike most, and the fault of artists is that, like certain foreigners, they are mature. (Even the Jews in England are boyish, like Disraeli, and not the creators of adult philosophies, like Marx or Freud.) For my own part, I was long dominated by impressions of school. The plopping of gas mantles in the classrooms, the refrain of psalm tunes, the smell of plaster on the stairs, the walk through the fields to the bathing places, or to chapel across the cobbles of School Yard, evoked a vanished Eden of grace and security ; the intimate noises of College, the striking of the clock at night from Agar's plough, the showers running after games of football, the housemaster's squeak, the rattle of tea-things, the poking of fires, as I sat talking with Denis or Charles or Freddie, on some evening when everybody was away at a lecture, were recollected with anguish, and College, after I left, seemed to me like one of those humming fortified paradises in an Italian primitive, outside which the Master in College stood with his flaming sword.

Let us try to get this view in perspective. It seems certain that in some persons character can be prematurely hardened at an adolescent level. It would merely take our own culture-pattern for granted to deny indignantly offhand that this may happen in some products of those excellent institutions the Scouts and the Guides. Yet some of their features, e.g. the cult of youth as such, were eagerly borrowed by the Nazis with results which everybody now sees, though disquieted English observers (including Scouts) reported this as early as 1938.² And, as Professor D. W. Brogan remarks, "the difference between the Boy Scouts and the Fascist Boys' organisations is not merely

¹ Routledge, 1938.

² Cf. D. W. Brogan, *The English People*, London, Hamish Hamilton, p. 243.

obvious, it is significant. . . . No drill, no toy guns, no military emblems, no preaching of national arrogance. . . . General Baden-Powell was less of a professional soldier in his tastes than Corporal Mussolini or Corporal Hitler. He was a countryman of the author of *Alice in Wonderland*, not of Baldur von Schirach."

Nazi leaders who visited England shortly before the present war reported enthusiastically upon some of the public schools they saw, affecting to see resemblances between some of their methods and those of the Nazis.¹ Indeed, Herr K. H. Abshagen² interpreted the difference in appearance and bearing between English boys from public and elementary schools respectively, in terms of a race-theory, now the subject of widespread condemnation, but in part only an exaggeration of views fairly widely held here before 1938. In their least offensive form they implied the belief that England possesses a class of 'natural' leaders. Yet any country blessed with a large number of such people would need, as material upon which their talents could be exercised, millions of equally naturally 'leadable', i.e. plastic persons. And if we attach even a restricted meaning to the term 'national character',³ plasticity may be Germany's most dangerous national trait, but one which might be used for desirable ends.

We are led towards a problem, discussion of which must be postponed at present: how far mental maturity involves a considerable degree of independence of the opinion and esteem of others. For clearly we cannot be mature *in vacuo*. Now, among the few books using the concept of maturity are Dr. Margaret Mead's *Coming of Age in Samoa*⁴ and *Growing Up in New Guinea*.⁵ In the latter, describing the brown sea-dwelling Manus of the Admiralty Islands, north of New Guinea, she writes, concerning their motor 'maturity':

. . . For the first few months after he has begun to accompany his mother about the village the baby rides quietly on her neck or sits in the bow of the canoe while his mother punts in the stern some feet away. The child sits

¹ T. W. Worsley, *Barbarian and Philistines*.

² *Kings, Lords and Gentlemen*, London, Heinemann.

³ As Professor Morris Ginsberg does in the *British Journal of Psychology*, 1942, Vol. XXXII, pp. 183-204.

⁴ Pelican Series.

⁵ Pelican Series.

quietly, schooled by the hazards to which he has been earlier exposed. There are no straps, no baby harnesses to detain him in his place. At the same time, if he should tumble overboard, there would be no tragedy. The fall into the water is painless. The mother or father is there to pick him up. . . .

So the child confronts duckings, falls, dousings of cold water, or entanglements in slimy seaweed, but he never meets with the type of accident which will make him distrust the fundamental safety of his world. Although he himself may not yet have mastered the physical technique necessary for perfect comfort in the water, his parents have. . . . So thoroughly do Manus children trust their parents that a child will leap from any height into an adult's outstretched arms, leap blindly and with complete confidence of being safely caught.

Side by side with the parent's watchfulness and care goes the demand that the child himself should make as much effort, acquire as much physical dexterity as possible. Every gain a child makes is noted, and the child is inexorably held to his past record. There are no cases of children who toddle a few steps, fall, bruise their noses, and refuse to take another step for three months. The rigorous way of life demands that the children be self-sufficient as early as possible. Until a child has learned to handle his own body, he is not safe in the house, in a canoe, or on the small islands. His mother or aunt is a slave, unable to leave him for a minute, never free of watching his wandering steps. So every new proficiency is encouraged and insisted upon. Whole groups of busy men and women cluster about the baby's first step, but there is no such delightful audience to bemoan his first fall. He is set upon his feet gently but firmly and told to try again. The only way in which he can keep the interest of his admiring audience is to try again. So self-pity is stifled and another step is attempted.

. . . The test of this kind of training is in the results. The Manus children are perfectly at home in the water. They neither fear it nor regard it as presenting special difficulties and dangers. The demands upon them have made them keen-eyed, quick-witted and physically competent like their parents. There is not a child of five who can't swim well. A Manus child who couldn't swim would be as aberrant, as definitely subnormal as an American child of five who couldn't walk.

In other aspects of adapting the children to the external world the same technique is followed. Every gain, every ambitious attempt is applauded; too ambitious projects are simply ignored, but important ones are punished. So a child who, after having learned to walk, slips and bumps his head, is not gathered up in kind compassionate arms while mother kisses his tears away, thus establishing a fatal connection between physical disaster and extra cuddling. Instead the little stumbler is berated for his clumsiness, and if he has been very stupid, slapped soundly into the bargain. Or if his misstep has occurred in a canoe or on the verandah, the exasperated and disgusted adult may simply dump him contemptuously into the water to

meditate upon his ineptness. The next time the child slips, he will not glance anxiously for an audience for his agony, as so many of our children do ; he will nervously hope that no one has noticed his *faux pas*. This attitude, severe and unsympathetic as it appears on the surface, makes children develop perfect motor co-ordination. The child with slighter original proficiency cannot be distinguished among the fourteen-year-olds except in special pursuits like spear-throwing, where a few will excel in skill. But in the everyday activities of swimming, paddling, punting, climbing, there is a general high level of excellence. And clumsiness, physical uncertainty and lack of poise, is unknown among adults. The Manus are alive to individual differences in skill or knowledge and quick to brand the stupid, the slow learner, the man or woman with poor memory. But they have no word for clumsiness. The child's lesser proficiency is simply described as "not understanding yet". That he should not understand the art of handling his body, his canoes well, very presently, is unthinkable.

Absence of *gaucherie*,¹ both bodily and mental ; respect for property ; how important they seem, too, as criteria of maturity in the upper classes both in this country and in the U.S.A.! Yet they may be merely aspects of culture-patterns familiar to us.

The possibility of attributing maturity to a nation is a theme about which some Americans have written lately. Describing the "Face of America" in *Transatlantic*, Clifton Fadiman says :

While we are on the subject of immaturity, I wonder how many British visitors to our country would agree with me in my feeling that in the faces of a great many middle-aged Americans it is almost eerily easy to discern the boys they once were. I have tried this game hundreds of times in trains, theatres, omnibuses, and feel sure I am not indulging a fancy. I think the same thing is, to a much smaller extent, true of Englishmen and not true at all of Europeans and Asiatics. The boy in the face of Mr. Roosevelt or Mr. Wilkie is recognisable ; there is no boy at all in the face of Mr. Stalin.

A different problem, perhaps, concerns the mental maturity of a social group. While I find it impracticable to work with the concept of a group-mind, that of the average level—so far as this can be discovered—of a mental characteristic in a community seems more promising. One yardstick immediately offers itself ; the extent to which the average person can deal with abstract ideas, as distinct from concrete things and persons. Though as many dwellers in universities suspect, a mere idea-manipulator can be grotesquely, tragically or pathetically

¹ Cf. T. H. Pear, "What is Clumsiness", *British Journal of Educational Psychology*, 1941, Vol. XI, pp. 99-108.

immature,¹ it is true that the ability to form, to relate and to describe concepts comes relatively late in the development of any individual, and to some seems denied. One of the chief arguments for education, as distinct from mere technical training is that it develops this ability. It usually does much more—this will be readily conceded—but let us consider for a moment an aspect of life in which school education seems definitely to have failed to produce maturity in millions of people.

Characteristic feature of present-day social life, much more significant than the scholarly type of citizen may realise unless he has joined the fighting forces, are the 'comic strips' of the popular newspaper. They are common in England, but I know of no data concerning the number of people who read them here. Their effects, however, are possibly trivial; fulfilling the artists' intention. Since they form an important source of the American's enjoyment, I turn to the United States for evidence,² trusting that any American reader of this page will recognise that the small numbers of their publications that arrive in England at present are my only source of facts, and that some comments to follow certainly apply to my country as well.

Milton Caniff's strip, *Terry and the Pirates*, is syndicated to 175 newspapers. Their combined circulation is 17 million. Two years ago in his strip he staged the death of a leading woman character: Raven Sherman. He received 1400 letters of sympathy and a number of floral offerings. "A Pennsylvania newspaper (not a subscriber to the strip) published the death as a news item. Caniff was interviewed on the radio concerning his motives for this action; on the day Raven Sherman was buried in the hills north of Chungking, 450 students of — College paid tribute to her by gathering on their campus and facing east for one minute of silence."

According to public opinion polls by Dr. George Gallup and others, comic strips are read regularly by well over half of

¹ A fable, current in common-rooms, is "There was once a professor who was so stupid that, after a time, his colleagues noticed it".

² From John Bainbridge's article in *The New Yorker*, 8th Jan., 1944. (I need not remind you that the *New Yorker* is a serious humorous periodical with no English analogue.)

the country's adults and by two-thirds of the children over six, i.e. by about 65 million people. Only one daily newspaper in the U.S.A., the *New York Times*, manages to exist without comic strips. Mr. Bainbridge observes, "The American disposition to prefer comic strips to columnists is regarded in some musty quarters as a sign of cultural infantilism. Who knows?"

When the comic strips began to appear in the States more than a quarter of a century ago "they were supposed to be funny, and sometimes they were". Then they were judged by a simple standard; if they were funny, they were popular. Now, however, fun is aimed at obliquely, if at all. Recently in Congress, a representative making a laudatory speech about *Terry and the Pirates* seriously suggested that some of the verbal matter in this strip should be read into the *Congressional Record*. "It is deserving of immortality", he said, "and in order that it shall not be lost completely, I present it, wishing only that the splendid cartoons in colour might also be printed here." Mr. Bainbridge adds, "After finishing with the funnies, the Congressman and his colleagues went on to consider other legislative business".

Perhaps the most important psychological aspect of the American 'funnies' is that they are vehicles of powerful political propaganda. The uninstructed Englishman, hearing of "Little Orphan Annie", may imagine her as a pathetic-comic figure. Perhaps she began like that. But at the time of Bainbridge's article, Annie was attacking the New Deal and organised labour, "moaning for a return of the good old days". So, more formally, did Westbrook Pegler, a newspaper writer. Yet, while Pegler writes for only 10 million, Annie's pictures are seen by 20 million. "Annie is, it appears, exactly twice as effective as Westbrook Pegler in shaping the main currents of Conservative thought."

For the Liberals, Samuel Grafton, a 'columnist', has opposed appeasement, argued for racial tolerance and supported the administration. He appeals to about 3 million. His synonym in pictures, Joe Palooka, reaches 30 million and has received the support of the American and British Governments. "One reason why comic strips have more influence than

syndicated thinkers in the U.S. armed forces is that they are more accessible. In opening its publication to cartoonists and closing them to columnists, the Army is simply doing the decent democratic thing—providing what the majority wants. Surveys say that comic strips are first with the men in the Army, the Navy and the Marines and that in this country (U.S.A.) comic books, which are comic strips in concentrated form, outsell the *Saturday Evening Post*, *Life* and the *Reader's Digest* combined by a ratio of ten to one in the post exchanges. There is thus some ground for believing that the brave new world is being built by men whose minds are nourished on the funnies."

Political maturity is a theme disturbing to some writers. After the Abdication in England a thoughtful German congratulated me upon belonging to a politically mature nation. Subsequent events soon demonstrated the political immaturity of Germany, but did our country seem particularly 'grown-up' between then and 1939?

Let us turn to subjects suggested by the consideration of individual mental maturity. Those discussed in 1938 in *The Maturing Mind* were: the wisdom of acquiring education; reasons why one should still learn after twenty-five; the needs and wants of adult learners; when is one too old to learn?; the nature of willingness and unwillingness to learn; the process of acquiring 'background'; conversation; differing with others; learning how to discuss; education, propaganda and the adult mind; the relation of broadcasting to adult education and the nature of the mature personality. In this list of themes, after the lapse of six—and six such!—years, none seems out of date.

The last chapter of the book was a summary, with comments, of Professor G. W. Allport's views on mental maturity in his *Personality*.¹ In his opinion, the mature personality should have these attributes: richness, congruence, a variety of autonomous interests, extension and objectivation of the self, a unifying philosophy of life which represents to oneself one's place in the scheme of things and gives a long-range perspective.

¹ London, Constable.

Applying his doctrine of functional autonomy,¹ he holds that as a person grows older his intropected values themselves become motives.

Regarding Freud's general theory as illuminating but insufficient, he comments :

Freud says, "the Super-ego answers in every way to what is expected of the higher nature of man". Certainly a man is not mature unless he respects the codes of the society wherein he lives, acts with good taste and abides by the laws, suffering pangs of conscience when he violates the rights of others and when remiss in his prescribed duties. But is this activity of the Super-ego all there is to the "higher nature" of a man? Left to itself the Super-ego would produce a personality completely caked with custom and shackled by tribal mores. Conventionality is not the same as maturity.

The genuinely mature person has an Ego-ideal as well as a Super-ego. In psycho-analytic theory the poor Ego has no recourse but to surrender to one of its two tyrants, the Super-ego or the Id, or to compromise as best it may. The Ego-ideal on the contrary is the plan of the developed personality for defeating, by transcending, both the unsocialised urges of the Id and the dullness of the Super-ego, leading thereby to a new level of personal freedom and to maturity. Intelligent and perspicacious planning for the future is always a significant feature of any mature life. Every mature personality travels towards a port of destination selected in advance or to several related ports in succession, the Ego-ideal holding the course in view.

Here he mentions Dr. Charlotte Bühler's *Der Menschliche Lebenslauf als psychologisches Problem*,² suggesting a limitation in it, that it deals so exclusively with geniuses, who of necessity are distinguished for their *Bestimmung*. Insight, the practical index of which is the ratio between what a man thinks he is and what others (especially, perhaps, the psychologically gifted) think he is; and the capacity for objective humour—to be distinguished sharply from the cruder sense of the comic—are important signs of maturity. "People less intelligent prefer humour derived from their own repressions and reflecting marked thematic elements. If one knows one's inferiorities, jealousies and unsocial desires, one is less likely to take pleasure in their artistic triumphs through a mere joke." A unifying philosophy of life and (for Allport) a religion which grows out

¹ Explained with comments in the present author's "Are there Human Instincts?" This BULLETIN, 1942, Vol. XXVII.

² Summarised in English by E. Frenkel, *Character and Personality*, 1936, Vol. V, pp. 1-34.

of, and in part abolishes, human anxiety are also necessary. Perhaps, therefore, at the present time with so many values changing, it is unusually difficult for anyone to be mature. Compare Mr. Gladstone's tasks, for example, with Mr. Churchill's.

Let us now consider reasons for the immaturity of some, perhaps all, specialists. Señor da Madariaga, criticising the works of Pio de Baroja, writes that the study of medicine is likely to impede literary expression. Doctors tend to interpret humanity in terms of its bodily phenomena, and when dedicating themselves to letters, "wield the pen as if it were a scalpel". They develop the habit of contemplating human misery with medical eyes. "What medicine cannot achieve is a living synthesis." This is no news to a medical man confronted with the problem of psychiatry, but there are more glaring examples of the immaturity caused by specialism in other directions.

As we have seen, some have maintained that certain forms of English education prolong immaturity or produce several varieties of unduly limited, unadjustable maturity. Some who describe the older universities mention this prolongation of adolescence either angrily or in nostalgia for the years which left them

Magnificently unprepared
For the great littleness of life.

Yet this problem bristles with subtleties. Some years ago, talking with an Austro-American psychologist, I said, a little querulously perhaps, that some psychological writings from modern Americans appeared to me two-dimensional, lacking background, seeming to assume in advance that the reader ought to be interested, not trying to fit the new idea into a wider scheme or to render it attractive to him. I was gently informed that in this same conversation I had praised the grit of the young American student who spent his long vacations earning money for his college education. But, I was reminded, for this reason he can't travel to older countries, meet many varieties of mind, read novels and poetry, listen to music, laze, day-dream and talk clever nonsense. Thirty years later if he writes in a way which seems pedestrian, worthy and "totally devoid of charm",¹ why grumble? I apologised.

¹ The phrase is borrowed from a favourable American review of an erudite book.

There are different conceptions of maturity in different universities. When I was a student at Würzburg, some of my Continental friends found it exceedingly difficult to understand how any grown man would willingly join an institution where he had, at least in theory, to be inside walls by 10 p.m., to wear a silly medieval costume (these students regarded the caps and ribbons of corps-members as equally foolish) and to undergo other restrictions which they considered an indignity. In some Scottish universities the distaste of numerous men students for living in hostels still survives all arguments based upon the civilising effects of community life.

A bitter expression of this view is the famous description of some dons as 'pickled undergraduates'; meaning presumably that their adolescent views and behaviour have been preserved for years by the luxury, stylised intercourse and general protection which their colleges afford. In his *Instincts of the Herd in Peace and War*,¹ Wilfrid Trotter suggested that society ought to protect its 'sensitive, unstable' minds, if unusually intelligent, from the rigours of natural selection, on the off-chance that they might make new discoveries. This obviously is the policy of some ancient colleges, where after a few decades some of these minds become stabilised to an amazing degree, towards their unique social environment. Occasionally the queer behaviour of brilliant scientists is described in detail and used as an argument for preserving their immature unspottedness from the world. This is one aspect of the vexed problems of the 'purity' or 'freedom' of science; ambiguous phrases which incidentally hide important questions such as the purity of motive and the freedom of action, of scientists, both practical and theoretical.

Now it seems beyond dispute that, while planning and carrying out his research the scientific thinker must be single-minded; even simple-minded. Yet he is seldom a simpleton. Researchers know that their increasingly expensive work has to be paid for. The buttered side of their bread is seldom lost to view. A few scientists have even discovered that the popular idea of themselves as simple is a useful smoke-screen

behind which work, 'pure' in no sense of the term, can be done.

Some scientists may be described as immature in another, less derogatory sense, when they retire from this world into play with complicated apparatus or with imagined plans of unreal events, as a refuge from what Professor A. N. Whitehead calls "the urgency of contingent happenings". There is a benevolent conspiracy to shelter them.

Recently, a leading physicist described the "new attitude of mind" as of "complete submission to nature as judge of whether one's conclusions are right or wrong; a distrust of the powers of the human intellect to decide by logic what the world is like". With the second part of this statement none could disagree, but it is difficult to convince oneself that the 'nature' in this statement is more than a segment of the Nature which often enough declines to give a simple answer to the question, "Are my conclusions right or wrong?" For this Sphinx-like Nature includes humanity, including even the human being who is asking the question. Perhaps, therefore, Nature includes, in its family, one member capable of answering a straight question and other less obliging 'natures'. If so, the attitude of mind which excludes contemplation of the problem of man's experience and behaviour, even of the causes which in the last 300 years have made him want to be scientific, is immature as compared with that of a philosopher.

A criterion of maturity is the possession of a self-regarding sentiment sufficiently integrated and powerful to prevent its possessor from being unduly influenced, in thought or action, by apprehension concerning the opinions of him which others may hold, and the possible change of emotional attitude which they may display towards him as a result of his deliberate action in important though disputable matters. Here we may perhaps cautiously employ Freud's speculations about parent-complexes, and Adler's about inferiority-complexes. It has been noted that this sufficiency of the self-regarding sentiment is the sign of the stoic, or the prig, a remark which left the stoic William McDougall with unrrung withers. Perhaps the difference between the psychological systems of Freud and Adler may be

traced to their relative sentimental maturity. Freud withdrew himself from general society at an early age. Adler, if I read aright his books and the testimony of friends, would cheerfully risk occasionally looking foolish if he thought he could help a fellow-creature. May some people be reluctant to grow up mentally because they wish to avoid the awful coolness of complete emotional self-sufficiency, or even doubt if it is attainable?

Here, perhaps, we reach the psychological boundaries of our subject. Whether 'tis better to continue enjoying such youthful delights as are possible, caring little for those who might call us silly, or to attain the serenity of not caring? Whether to be guided in our life-work by the opinions of elders, perhaps dead these many years, or to set one's own course? All these and similar uncomfortable questions involve values—and those I leave to the philosopher.

THE MORROW OF THE GREAT CHARTER.

By H. G. RICHARDSON, M.A., B.Sc.

FEW periods have been more discussed than those that led up to the great charter and followed its issue, and my excuse for adding to the discussion is the existence of some interesting documents which appear to be unknown to historians. At the same time I have been forced to the conclusion that not all the relevant documents already published have been taken into account or correctly interpreted. In part, misinterpretation appears to be due to attempts at the impossible task of reconciling the statements of chroniclers with the records. Sometimes indeed the former seem to have been preferred, although there is no reason to suppose that any contemporary chronicler was well informed. However, to cumber the discussion with questionings or refutations seems unnecessary, and for the most part the mistakes and misconceptions of the chroniclers have been passed over in silence: Nothing is lost by ignoring them, and it is possible to reconstruct a coherent and convincing picture of the principal events of 1215 upon the basis of records of unimpugnable veracity.

To begin with, let us recall that the charter had been formally ratified on 15 June 1215: but, though it seemed to promise the final pacification of the country, it could not prove effective unless there were machinery for enforcing it. As part of this machinery, a council of twenty-five barons was set up; and of the activities of this council something will be said later. The machinery was not, however, likely to function efficiently unless a settlement was devised of many outstanding questions of detail with which the charter did not, and perhaps could not, attempt to deal. A further meeting between King and barons was therefore arranged to take place in a month's time (16 July) at Oxford.¹

¹ At Westminster, according to Wendover (*Flores Historiarum* (ed. Coxe), iii. 319); but this appears to be a mistake, and there seems no reason for supposing that the place of meeting was changed, as suggested by Miss Norgate, *John Lackland*, pp. 239-40.

On 15 July, the King, who was then lying between Newbury and Abingdon, sent a message to the Archbishop of Canterbury and 'the barons of England' saying that he was unable to be present on the morrow: on that day, however, his principal counsellors represented him.¹ It seems usually to be supposed that the King did not appear and that the meeting broke up:² yet it is beyond question that the King did arrive in Oxford, although a day or two late.³ John seems to have been suffering from gout at the time, a sufficient reason for his delay. The improbable story of the insistence of the Twenty-five on the King's presence at a *jugement* and their courtesy to him we may dismiss,⁴ although we may well believe that the assembled barons pressed for his early attendance at a council at which important and urgent business was to be transacted and which was, in fact, protracted for a week or more.

It is at this point that there comes to our assistance an entry on the King's Remembrancer's memoranda roll of 1217-18,⁵ which contains the explicit statement that it was at the council at Oxford that Norfolk and Suffolk were committed to Hubert de Burgh, presumably by common agreement. There can be no doubt that the council is that of the third week in July 1215, because the entry gives the date from which Hubert entered on his duties, namely 1 August, in succession to the sheriff who had been appointed by the barons and had held office until that date. Moreover, the letters patent notifying Hubert's appointment are dated at Oxford on 24 July.⁶ Since similar letters, notifying that Cumberland has been committed to Robert de Vaux, are dated at the same time and place, we are warranted

¹ *Rot. Litterarum Patentium*, p. 149: 'hac die Iouis proxima ante festum sancte Margarete' means, of course, on 16 July, when presumably the letter was delivered and read.

² Stubbs, *Constitutional History* (4th ed.), ii. 7; Norgate, *op. cit.*, p. 240; Adams, *Political History of England*, 1066-1216, p. 440; Ramsay, *The Angevin Empire*, pp. 479, 486.

³ This is clear from Hardy's *Itinerary*, which shows the King at Oxford from the 17th to the 23rd.

⁴ *Histoire des Ducs de Normandie et des Rois d'Angleterre* (Soc. de l'histoire de France), p. 151. The meeting the author has in mind cannot be any other than this one at Oxford.

⁵ Appendix A.

⁶ *Rot. Litterarum Patentium*, p. 150.

in deducing that these also represent a decision of the council.¹ The appointment on 19 July of Hubert de Burgh as *custos* of Hereford must also be an act of the council.² Let us remark that, already before the Oxford meeting, a number of counties had been placed *in custodia*, presumably to facilitate the local enquiries which were due to follow the great charter. Of this development more will be said, but it is necessary to note that there had evidently been difficulty in certain cases which could be settled only at a meeting between the King and the barons, in the presence of the bishops. The appointments notified on 19 and 24 July, and other changes in local administration notified during the next few days after the close of council, were all presumably the result of agreement during the proceedings.

The most important matter to be discussed at Oxford was, however, the general pacification of the country: indeed the detailed arrangements for local administration were merely parts of a general plan, of little meaning in themselves. The agreement reached was embodied in a 'convention' between the King, on one side, and Robert fitz Walter and twelve of his associates, on the other,³ which provided that by the Feast of the Assumption (15 August) the necessary oaths should be sworn to the Twenty-five or their representatives and that, by the same term, seizures by the King should be restored. As security the city of London was solemnly placed in the hands of the barons—who had taken care not to let it get out of their control—and the Tower was entrusted to Stephen Langton. This formal agreement was followed up by letters patent of 24 July, addressed to Yorkshire and, presumably, to other counties, requiring the restoration of lands, possessions and prisoners that had been taken from the baronial party.⁴ Nor is this all we learn about the council. Some question must have

¹ *Loc. cit.*

² *Ibid.*, p. 149b.

³ *Foedera*, i. 133: from Close Roll 17 John, m. 27d (not 24d, as stated): see *Rot. Litterarum Clausarum*, i. 268b. This membrane contains, on the recto, entries dated at Oxford on 18 and 19 July (*ibid.*, i. 221), whence we may arrive at the approximate date of the agreement. The thirteen barons were all members of the Twenty-five, and therefore the majority which, according to chapter 61 of the great charter, would bind the whole body.

⁴ *Rot. Litterarum Patentium*, p. 150.

arisen of the interpretation of the clause in the great charter relating to evil forest customs, and a formal declaration was now made by the bishops that the clause was understood by both parties to mean that all customs should stand which were essential if the forests were to remain as such.¹ A similar declaration, in which Pandulf joined, registered the refusal of the barons to make a written acknowledgement of their legal obligations to the Crown.² The reason for this refusal is obscure, but we must not imagine that there was yet any open breach between the King and the barons. There is indeed direct evidence that,

¹ *Foedera*, i. 134, from Close Roll 17 John, m. 27d, as to which see the note above.

² *Rot. Litt. Pat.*, p. 181. Although this declaration, which is undated, is entered on the dorse of m. 21, which bears on the recto documents dated between 28 June and 2 July, there can be no real doubt that it comes from the Oxford council. The nine bishops present are those whose names appear in the declaration regarding the forests, together with the Bishop of Chichester. Although it is sometimes said that the bishops 'protested', any argument founded thereon against the good faith of the barons (e.g. Norgate, *John Lackland*, p. 236; McKechnie, *Magna Carta* (2nd ed.), pp. 43, 476) is based upon a complete misconception. 'Protestari' here, and in common usage, retained its classical meaning, 'to declare' or 'to aver'. The point is of sufficient importance to warrant the citation of a few contemporary examples. When, in the early years of Henry III, the Earl of Salisbury is proving his expenditure on Cambridge Castle, he does so 'per breue regis et per recordum Ricardi Donolmensis episcopi, cancellarii regis, qui protestatus est coram rege et consilio suo quod preceptum habuit de rege Iohanne quod litteras ei faceret de allocacione predicta' (P.R.O., E. 364/1, m. 3d). For a similar use of the word see *Rot. Litt. Claus.*, i. 303: 'dominus Dublinensis archiepiscopus protestatus est quod predictus G. sufficienter reddit compotum suum'. For another example see *Rot. Chartarum*, p. 100b: messengers are despatched in 1201 with letters patent, 'mandantes et protestantes', that the King has not assented to an episcopal election. Again, in 1194, two knights 'protestati sunt quod non ponebant tenementum suum . . . in defensione' (*Rotuli Curiae Regis*, i. 34, 64). Note too the words put by Wendover (*Flores Historiarum*, iii. 322) into the mouth of John's messengers to Rome in 1215: 'idem rex publice protestatus est coram eis (sc. baronibus) regnum Anglie ratione dominii ad Romanam ecclesiam specialiter pertinere. . . . The English reader is likely to be misled by a literal translation, such as that of the late Professor G. B. Adams, 'John publicly protested before the barons' (*Magna Carta Commemoration Essays*, p. 31; reprinted, *Council and Courts in Anglo-Norman England*, p. 358). The sense of Wendover's words is indicated by the parallel passage in Innocent III's bull, 'Etsi karissimus', of 24 August, 1215: 'Tandem rex illis proposuit quod, cum regni dominium ad Romanam ecclesiam pertineret . . .' (*Foedera*, i. 136; Bémont, *Chartes des libertés anglaises*, p. 43).

to outward appearance at least, the great charter was regarded by both King and barons as binding, for it was at Oxford on the Feast of St. Mary Magdalene (22 July)—and therefore during the session of the council—that Master Elias of Dereham was provided with six sealed copies.¹

The significance of this action may not be immediately and fully apparent and may invite explanation. Let us go back therefore to 15 June when the great charter was ratified. We must postulate the pre-existence of an agreed draft. The act of ratification was presumably the formal sealing of a single exemplar, which was placed in the treasury of the exchequer. Later, when Louis of France was required to surrender the records of the exchequer that had fallen into his hands, mention is made of 'charters' of liberties:² but this phrase probably includes the letters testimonial of the bishops and Pandulf which guaranteed the text of the great charter and which we know only from a copy preserved in the Red Book of the Exchequer.³ Neither of these 'originals', if we may so term them, being retained in the chancery, it follows that the sealed copies made for local distribution were based upon a draft, presumably the agreed draft, which is likely to have had a good many alterations and additions. In this way we can account for the differences between the four sealed copies that have survived, which do not display an equal standard of workmanship.⁴ The multiplication of copies of so lengthy a document could not be rapid and, although distribution began soon after 15 June, it continued for more than a month.⁵ Associated with the charter is another, briefer, document: in order that the restoration of peace and the terms of the agreement between the King and barons should become generally

¹ *Rot. Litt. Pat.*, p. 180b.

² The records are described as 'rotulos de scacario, cartas Iudeorum et cartas factas de libertatibus tempore regis Iohannis [apud Runingmede] et omnia alia scripta de scacario que habet' (Martène et Durand, *Thesaurus Novus Anecdotorum*, i. 858). The words enclosed in brackets were blundered by the transcriber, but there is no room for doubt as to their restoration: see Blackstone, *The Great Charter*, p. xxxiii n.

³ *Statutes of the Realm*, i, Table of the Charters; also in Bémont, *Chartes des libertés anglaises*, p. 39.

⁴ McKechnie, *Magna Carta*, pp. 165-8.

⁵ For what follows see the note appended to the form of letter to the sheriffs, etc., of 19 June (*Rot. Litt. Pat.*, p. 180b).

known, letters of notification were sent to the sheriffs and other ministers in every county. In the first place these letters required the charter to be publicly read, not only in the county court but apparently at every kind of assembly held by royal officers.¹ Sealed copies of the charter seem not, however, to have been sent directly to the sheriffs. Their distribution appears to have proceeded *pari passu* with the distribution of the letters of notification, which, for the most part, were entrusted to Henry de Vere, a royal clerk, and Master Elias of Dereham, at that time a clerk of Stephen Langton's.² Some letters and charters passed through the hands of the diocesan bishops.³ Other intermediaries were the Earl of Winchester,⁴ Eustace de Vesci⁵ and Philip fitz John.⁶ The mayor of London was addressed direct, as was Engelard de Cigogné, sheriff of Gloucester and also—whether this be relevant or not—head of the kinsmen of Gerard de Athée who, under chapter fifty of the charter, were to be deprived of their bailiwicks.⁷ The reason for these various arrangements is quite obscure. The intention seems to have been that, as in the case of the sealed copies of the coronation charters of Henry I and Stephen, the sealed copies of the great charter should be preserved in cathedrals and religious houses;⁸ but nevertheless, before the sealed copies reached

¹ Cf. Walter of Coventry, *Memoriale*, ii. 222 : 'Deferebatur . . . per civitates et vicos, et iuratum est ab omnibus quod eam observarent, ipso rege hoc iubente'.

² Powicke, *Stephen Langton*, pp. 136-8. It may be added that on 17 August 1214 Reginald of Cornhill received 'per manum magistri Elye de Derham castrum Roffense a venerabili patre et domino meo Stephano Cantauriensi archiepiscopo custodiendum ad fidem domini regis' (Lambeth Palace Library MS. 1212, p. 23).

³ Of Worcester, Bath and Lincoln, for Worcester, Dorset and Somerset, Oxford and Bedford.

⁴ One of the Twenty-five : for Leicester and Warwick.

⁵ One of the Twenty-five : for Northumberland.

⁶ Present at Runnymede (*Rot. Chartarum*, p. 210) : a baronial supporter and excommunicated in 1216 (*Rot. Litt. Claus.*, i. 245 ; Wendover, *Flores*, iii. 356).

⁷ Engelard was, in fact, replaced as sheriff by Ralf Musard on 8 July (*Rot. Litt. Pat.*, p. 148b). For Engelard's connexions, see Maitland, *Pleas of the Crown for the County of Gloucester*, pp. xiii-xvi.

⁸ R. L. Poole, 'The Publication of Great Charters by the English Kings', *English Hist. Rev.*, xxviii. 448-9 : reprinted, *Studies in Chronology and History*, pp. 313-14.

their intended place of deposit, they must, it would seem, have been put in the hands of the local officers.

The letters addressed to the sheriffs were dated 19 June : some perhaps were actually despatched on that day, and by the 23rd letters in like terms had been sent to twenty-one counties. Each letter implied that a copy of the charter had been sealed and despatched for the use of the county, for the letter was unintelligible without reference to the charter : it is possible, however, that in some cases the letter was despatched in advance of the charter, though this cannot have been intended. On 24 June, two letters and two charters were sent to the Bishop of Lincoln for the counties of Oxford and Bedford, and one charter to the Bishop of Worcester, doubtless for the county of Worcester. On the same day, apparently, four charters and twelve *brevia*—the ‘writs’ were evidently letters in the settled form—were delivered to Master Elias of Dereham : these letters were for eleven named counties (which had not been previously addressed) and the barons of the Cinque Ports.¹ The last note on the subject we have already mentioned : it records that six charters had been handed to Master Elias on 22 July. Evidently these six were to supplement the four charters with which he had previously been supplied. The long interval between 24 June and 22 July invites explanation : it suggests that the plan adopted for distributing copies of the charter was the cause of a good deal of delay in putting into execution the directions in the letter of 19 June and consequently some of the provisions of the charter itself.² There is no reason to suppose, however, that delay was

¹ The charter accompanying this letter is probably that which was among the muniments at Dover Castle in 1630, and was presented by Sir Edward Dering, then Warden of the Cinque Ports, to Sir Robert Cotton : it is this copy that was damaged in the fire of 1731 (McKechnie, *Magna Carta*, p. 165). Dr. Poole was in error in stating that its provenance could not be traced (*loc. cit.*).

² For example, the requirements of chapter forty-eight regarding the repression of evil practices in forests and warrens depended on the election of twelve knights in each county, which was directed by the letters of 19 June. These same knights were addressed jointly with the sheriffs in letters of 27 June (*Rot. Litt. Pat.*, p. 145b ; Bémont, *Chartes des libertés anglaises*, p. xxiv n.), when it is hardly possible that any had been elected. They were then charged with the duty of enforcing the oath to the Twenty-five : this oath had been mentioned in the letters of 19 June, and a form of oath may have accompanied those letters,

deliberately contrived : the machinery of administration was inadequate for the rapid enforcement of complicated measures that it was easier to agree in general terms than to execute. The primary consideration at the moment is, however, that the issue of charters had been continuing from 15 June to 22 July and that it must therefore follow that up to the date of the council at Oxford, and while it was in session, the charter was regarded as beyond dispute and beyond repudiation.

Strangely enough, this July meeting, for which the evidence is exceptionally abundant, has been ignored or implicitly denied by historians. But it is vitally important if the sequence of events is to be understood. The broad result of the meeting was to carry a stage further the *concordia* of Runnymede.¹ The council at Oxford did not, however, do all that had been anticipated. It is evident from the 'convention' made at the council, presumably at an early sitting, that it was believed that outstanding issues would be resolved by 15 August and that the country would then have settled down. But, as the session proceeded, it must have become clear that this prospect was too sanguine and that a further meeting would need to be held. This adjourned council was fixed apparently for 20 August, again at Oxford, but, instead of attending, the King sent messengers to the assembled bishops, barons and knights,² while he himself made his way to the coast. What his messengers said to the council we are not told in any official document, but it may be, as one chronicler recounts, that John complained of the but the direction was incomprehensible without the charter. It is fairly obvious that by the middle of July nothing effective had been done, for at the Oxford council it was agreed that the enquiry by the twelve knights should be made in each county at once (*Foedera*, i. 134). The 'convention' made at the same meeting ignored the letters of 27 June and, referring back to those of 19 June, fixed a new term for taking the oath to the Twenty-five.

¹ So called in the Bench plea roll of Michaelmas 1219 (*Curia Regis Rolls*, viii. 16); see also the (later) endorsement on the Lincoln exemplar in the Record Commission's facsimile, facing p. 9 of Charters of Liberties in *Statutes of the Realm*, Vol. 1, and facing p. 151 of *Foedera*, Vol. 1.

² *Rot. Litt. Pat.*, p. 153. Since the king was at Ludgershall on 19 August, the date 'xxx. die Augusti' on the roll is an obvious blunder for xix. Moreover, the entry precedes another dated 19 August at Ludgershall. We cannot rely on the date, the morrow of the Assumption, given in Walter of Coventry, *Memoriale*, ii. 223, if this is intended for the day on which the council was to have opened.

treatment he had received and arranged for the publication of the bull 'Miramur plurimum'.¹ In this bull Innocent III declared excommunicate all disturbers of the King and kingdom, and laid their lands under interdict: he required his sentence to be published every Sunday and festival until they had made satisfaction for the losses and injuries the King had sustained, and he pronounced any bishop suspended who failed to carry out this order. If events fell out in such wise at the August council, John would seem deliberately to have provoked a rupture, for he could hardly have imagined that the bull would reduce the barons to submission. In any case the hour had nearly struck when he must, of necessity, throw off the mask and reveal the full intention of his negotiations with Innocent. Within a few weeks he would expect to be able to publish the bull whereby the Pope quashed the charter, in John's view the really decisive weapon in the armoury supplied to him by the Holy See. But the bull 'Etsi karissimus' and the companion bull addressed to the barons were not issued until 24 and 25 August,² and could hardly have been available before the latter days of September.³ The open breach with the Twenty-five came sooner: certainly before the middle of September the barons were again in revolt,⁴ and probably as early as the last week or so of August.

¹ *Ibid.* : as Stubbs pointed out, the 'mandatum apostolicum' can only be this bull (*Const. Hist.* (4th ed.), ii. 7). The text, which is incomplete at the end, is given by Wendover (*Flores*, iii. 336-8) and is known from no other source. If it were issued by about the middle of July, it might have arrived in time for use in the way described, and assuming the suggested date to be correct, Miss Norgate's conjecture (*John Lackland*, p. 242) that it was in response to John's letter to Innocent of 29 May (*Foedera*, i. 129), may also be correct. The correspondence between King and Pope is incomplete, however, and the matching of letter and reply is uncertain. Apparently John did not use a bull of 18 June (Prynne, *Exact Chronological Vindication*, iii. 27), in rather milder terms, which possibly reached him before the close of the Oxford council in July. Professor G. B. Adams, who reprinted this bull, thought that it might be in reply to the letter of 29 May (*Council and Courts in Anglo-Norman England*, pp. 367-71), but this is quite out of the question (cf. Powicke, *Stephen Langton*, p. 131 n.).

² *Foedera*, i. 135-6; Bémont, *Chartes des libertés anglaises*, pp. xxv, 41-4.

³ We must allow roughly thirty days for the most rapid transit: see Landon, *Itinerary of Richard I*, pp. 184-7.

⁴ As we must infer from John's letter to Innocent, of about that date, notifying the departure of Pandulf for Rome (*Rot. Litt. Pat.*, p. 182), and also from what seems to be the first grant, on 17 September, of lands held by dissident barons,

We can therefore distinguish two periods of hostilities between the barons and the King : the first from a date that was conventionally regarded as Easter (19 April)—though the barons' formal defiance was not made for a week or more thereafter¹—until the meeting at Runnymede in the middle of June, and the second beginning about the end of August after an interval of outward reconciliation. And although there was a *tempus guerrae* lasting two years and a half, this was not spent in continuous warfare. It is important to remark that, in the first period of eight weeks or so, the barons could have had no effective organisation for administering those parts of the country they controlled. They continued, of course, to administer their own fiefs and they had assembled a substantial, if loosely organised, feudal army : but an administration could not be provided in this way. Their first step towards this end was to appoint keepers of the eastern and northern counties, where they were relatively strong and the King was weak. In the chronicle of the Canon of Barnwell there has been preserved a list which must belong to this period, although the compiler seems to place it a little later.² Geoffrey de Mandeville took Essex, Robert fitz Walter Northamptonshire, Roger de Creissi Norfolk and Suffolk, Saer de Quincy Cambridge and Huntingdon, William d'Aubigny Lincolnshire, Roger de Lacy Yorkshire and Nottinghamshire and Robert de Ros Northumberland. It is not to be supposed that

which were, of course, regarded as forfeited—the lands in Cornwall belonging to Robert fitz Walter (*Rot. Litt. Claus.*, i. 228):

¹ Miss Norgate does her best to reconcile the statements of the chroniclers with the records (*John Lackland*, pp. 227-8). It seems certain that the King was 'defied' after Low Sunday. There was undoubtedly some kind of suspension of hostilities until that day : see *Curia Regis Rolls*, vii. 315, where it is said that 'Rogerus [de Cressi] est unus de Norensibus qui habent pacem usque ad Clausum Pasche'.

² Walter of Coventry, *Memoriale*, ii. 224. Stubbs (*Constitutional History*, ii. 8) and Miss Norgate (*John Lackland*, p. 243) believed that the barons delayed taking this action until the end of August : but this seems clearly wrong. Since Robert de Ros had the custody of Yorkshire in September (see Appendix B), the list cannot belong to the second period. On the other hand, we know independently that Roger de Creissi had the custody of Norfolk and Suffolk in the first period (see Appendix A). Robert de Ros was apparently holding Cumberland in opposition to the King, both before and after the appointment of Robert de Vaux on 24 July (*Rot. Litt. Pat.*, pp. 150, 163b) ; it may possibly be intended to be included in the chronicler's Northumberland.

these great men administered these counties themselves : we are told, for example, that Roger de Creissi appointed William fitz Roscelin to act for him in Norfolk and Suffolk,¹ and doubtless deputies were appointed likewise to administer the other counties. Even if these steps did not lead to a very effective form of administration, the King's writs would no longer run wherever baronial control was strong, and a certain amount of the King's revenue would be diverted.

One of the first consequences of the great charter appears to have been the replacement of the baronial custodians by men agreeable to both sides or, at least, to whom neither side could object. The King, for his part, had bound himself, by chapter fifty of the charter, to replace some sheriffs who were out of favour with the barons. A number of changes consequently took place on 25 June and early in July. We need remark only those that affected counties of which the barons had assumed control. We find John Marshal appointed to Norfolk, Suffolk and Lincolnshire, William of Duston to Yorkshire, Roger Neville to Northamptonshire and Matthew Mantell to Essex and Hertfordshire.² These appointments evidently came up for reconsideration at the council of Oxford, as a result of which Norfolk and Suffolk were, as we have seen, transferred to Hubert de Burgh and Lincolnshire to Walter of Coventry. Some further changes were made elsewhere, but apparently no agreement could be reached regarding Nottingham, where the King seems to have maintained Philip Marc despite the provisions of chapter fifty of the charter,³ or Cambridge and Huntingdon, where the King seems to have made no move until the counties

¹ Appendix A.

² *Rot. Litt. Pat.*, pp. 144b-146b. The letters patent cannot be relied upon for giving the dates from which the appointment took effect. Thus William of Duston was appointed to Northamptonshire on 25 June and superseded by Roger Neville on 2 July : but Pipe Roll 61, m. 4d, shows Geoffrey de Martigny in office from Easter to 20 July and Roger Neville from the latter date. Geoffrey was one of those whom John undertook to remove from office under chapter fifty of the charter.

³ Philip Marc accounts normally for Nottingham and Derby both before and after the *tempus guerrae*, for which no regular accounts were rendered.

were committed to Faukes de Bréauté in the following March.¹ How far the barons relaxed their hold on the districts they controlled is very much a matter for speculation. But we do know that in Norfolk and Suffolk they made way for Hubert de Burgh's deputy, whom, in turn, they expelled on the resumption of hostilities ; and it is probable that this is fairly typical of the rest of the country.

It is clear that, in breaking faith, the King had the barons at a disadvantage. The men appointed to the custody of counties that had been, at least partially, under baronial control between Easter and June may have been as neutral in their sympathies as it was possible to be ; but they were not baronial partisans and they held their offices from the King and were likely to do his bidding. On the other hand, the barons had, for what it was worth, the place in the constitution that had been created for them by chapter sixty-one of the charter. They had a representative council of Twenty-five, which, for ten weeks or so, from the middle of June to the end of August, had been co-operating in the task of reducing the country to order. Consequently, when hostilities broke out afresh, it was but natural that the burden of administering those parts of the country under the control of the barons should be assumed by this council. That this was, in fact, the case is shown by two writs which chance has preserved to us.² Both are dated at London on 30 September, both are in the name of Geoffrey de Mandeville, Saer de Quincy and Richard de Clare, and both are witnessed by Robert de Vere. These four men, be it noted, are the earls respectively of Essex, Winchester, Hertford and Oxford, and they are four out of the seven earls who head the list of the Twenty-five as given by Matthew Paris.³ Moreover, it was provided by chapter sixty-one of the charter that the Twenty-five were to act by what has been called a ' sub-committee of four ',⁴ who were to be intermediaries between aggrieved parties and the King. We can hardly hesitate to identify the four earls

¹ The Earl of Salisbury accounted from Michaelmas 1214. Faukes replaced him on 9 March 1216 (*Rot. Litt. Pat.*, p. 169b) and accounted through his under-sheriff, Ralf of Bray, from Michaelmas 1217. ² Appendix B.

³ *Chronica Majora*, ii. 604-5.

⁴ McKechnie, *Magna Carta*, p. 470.

of the writs with this sub-committee, though it may not be abundantly clear why the writs should issue in the name of three of them, while the fourth was the agent on whose authority action was taken.¹ At least we have here evidence that the Twenty-five were acting at the end of September through a small executive body, and it may well be that this device had been adopted, not only for the matters specifically mentioned in chapter sixty-one, but for other purposes as well, from the middle of June onwards.²

Turning now to the substance of the writs, it will be seen that their object was to secure the transference of Knaresborough castle from Brian Delisle (who was holding it for the King) to Nicholas de Stuteville. The Twenty-five, Brian is told, have adjudged the castle of Knaresborough to Nicholas as his right. This takes us back to the 'convention' made at the Oxford council in July, by which it was agreed that everything that the Twenty-five should adjudge to be rendered to those wrongfully disseised should be rendered to them by the Feast of the Assumption—thus establishing a term for accomplishing what was already provided by chapter fifty-two of the charter. If Brian Delisle refuses to do the bidding of the Twenty-five as expressed in the writ addressed to him, he will put himself outside their protection (*fiducia*), for he will not only be opposing their judgement but also the law of the realm. That this is not an idle threat against his body, his lands and his goods, the second writ shows. Nicholas de Stuteville is authorised to recover his own by distraining and distressing the men of the castle of Knaresborough, and Robert de Ros, the keeper of Yorkshire, is required to constrain the men in his bailiwick to give Nicholas

¹ As we should expect, the four earls are found among those who acted on behalf of the barons and subscribed the 'convention' with the King at the Oxford council (*Foedera*, i. 133). As stated below, they also appear to have headed the barons who did homage to Louis of France.

² The Twenty-five, or at least a majority of them, must have met occasionally, as they did at Oxford at the July council. There may be an indication of another meeting in the letters of 27 June, since the instructions contained therein are stated to have been decided 'by the judgement of the archbishop of Canterbury and the barons of the realm' (*Rot. Litt. Pat.*, p. 145b). This seems to be a case of applying to an analogous matter the procedure of chapter fifty-five, which provided for a 'judgement' by the archbishop and a majority of the barons.

all possible help. Here the Twenty-five might appear to have stepped outside the charter—although we note that the verbs *distringere* and *gravare* are the very words of chapter sixty-one—for self-help does not seem to be contemplated there. But how the Twenty-five were to distrain and distress the King, by seizing his castles, lands and possessions, and by all other ways open to them—saving always the King's person—is not very clear, unless they were to proceed in some such way as these writs disclose.

The next point to which we should direct our attention is the oath which Brian Delisle is stated to have taken 'ad sectam commune carte regni'. Although this phrase is an odd one, the oath must be that required to be sworn to the Twenty-five; and the 'commune carta regni', the charter to the commune of the realm, must mean the great charter. We shall find parallel words to 'communa regni' in the forty-ninth of the Articles of the Barons and the sixty-first chapter of the charter which is founded on that article: there mention is made of the 'communa tocius terre'. It is of interest to put beside this reference to the oath to the Twenty-five another reference to be found in an undated document entered on the dorse of the charter roll of 17 John. This is an undertaking given to the King, evidently in January 1216,¹ by Gilbert fitz Reinfrey, who had returned to his allegiance. 'If I should', says Gilbert, 'have made an oath to the King's enemies, I will not hold to it, neither will I cleave in any way to the charter of liberties which the King granted generally to the barons of England but which the Lord Pope has quashed.'² This undertaking looks as though it were common form, and as though others in like situation to Gilbert were required to give it. The oath to the King's enemies can hardly be anything else than the oath to the Twenty-five, which was certainly an obligation

¹ Gilbert fitz Reinfrey is a frequent witness to the King's charters up to 1 August 1215 (*Rot. Chartarum*, pp. 215b-216b), but thereafter he does not appear until 28 January 1216 (*ibid.*, p. 219b). He was negotiating with the King in December and January (*Rot. Litt. Pat.*, pp. 160b, 162b, 187b) and had seisin of his lands on 31 January (*Rot. Litt. Claus.*, i. 246b).

² *Rot. Chartarum*, p. 221b: 'et si quod sacramentum inimicis suis fecerim, illud non tenebo, nec adherebo in aliquo carte quam idem rex communiter fecit baronibus Anglie de libertatibus, quam quidem dominus papa cassauit'.

imposed upon every man of substance.¹ It is noteworthy that in both cases, whether the position is stated from the King's point of view or from that of the dissident barons, oath and charter go together, and that the Twenty-five endeavoured to maintain their authority by means of the oath. In the case of Gilbert fitz Reinfrey it may well be that we should interpret the language of his undertaking as meaning that his oath was exacted after the second breach with the King, when the Twenty-five had indeed become the King's enemies.

At this point it may be convenient to say something of a second oath which has been supposed to have been taken by thirty-eight *obsecutores et observatores*, as Matthew Paris calls them in his *Greater Chronicle*. Matthew took those names from a list that has been transcribed into his *Liber Additamentorum*: there this list is headed by the words 'Hi juraverunt quod obsequerentur mandato xxv. baronum', and it is followed by the statement that 'Omnes isti juraverunt cogere, si opus esset, ipsos xxv. barones ut rectificarent regem et etiam cogere ipsum si, mutato animo, forte recalcitaret'.² Now there would seem no reason to imagine that there were two distinct and different oaths, the one represented by the heading, the other by the appendix, to the list, for it is quite certain, from what we are told in the sixty-first chapter of the charter, that the common oath required, not only obedience to the orders of the Twenty-five, but also an undertaking to co-operate with them to coerce the King in the event of his failure to carry out his obligations under the charter. What we cannot find in the charter is any indication that the common oath carried with it an obligation to compel the Twenty-five 'to set the king to right', though it is not impossible that some such words were included in the oath as administered. The thirty-eight barons of the list therefore seem to have taken no more than the common oath, and the reason why their names have been preserved is perhaps because they were the first to swear. The names include some of the foremost in the land, men such as William Marshal, who had

¹ The oath was to be taken by 'omnes de terra' according to chapter sixty-one: the writ of 27 June issued in consequence assumed that those taking the oath would have lands and tenements (*Rot. Litt. Pat.*, p. 145*b*).

² *Chron. Maj.*, ii. 606 *n.*, 607 *n.*

not made common cause with the dissident barons but had advised the King to grant the charter and who were present at Runnymede.¹ For the view that the thirty-eight not only took a special oath, but constituted a second body, with the duty of compelling both the King and the Twenty-five to deal justly with one another, there is really nothing to be said.² No trace of such a body has been found elsewhere, and it is quite plain that, if there was a body of mediators between the King and the Twenty-five, it was not formally constituted but was supplied, as at the July council, by the bishops.

We need not therefore imagine any system of interlocking committees, and we can safely accept as definitive the scheme embodied in the sixty-first chapter of the charter, a scheme which provided, in the first place, for co-operation between the King and the council of Twenty-five and, in the second place, for the coercion of the King by the Twenty-five, who would thus be constituted an alternative government. We have reviewed the brief period of co-operation : what of the period when the Twenty-five were an alternative government to the King's ? Of necessity our information is defective, but we have no reason to suppose that the two writs of 30 September 1215 were in any way singular. Rather must we believe that they are but specimens of many, by means of which the Twenty-five sought to give effect to the charter after the King had repudiated it and was at war with them again.³ In this case, at least, their writs proved ineffective, and Brian Delisle continued in occupation of Knaresborough Castle and in fidelity to the King.⁴ Elsewhere, however, the writs of the Twenty-five were doubtless respected.

¹ Of the sixteen barons named in the charter as the King's advisers ten are found among the thirty-eight. There is no reason to suppose that the other six did not take the common oath.

² This view, originally put forward by Miss Norgate, *John Lackland*, pp. 235-6, was accepted by McKechnie, *Magna Carta*, p. 476.

³ There is other evidence of writs sent on the authority of the Twenty-five. In 1282 there were preserved in the treasury at Edinburgh, among other documents emanating from the barons, a ' mandatum baronum Anglie facta (sic) ciuitati Carliol' . . . and a ' mandatum baronum Anglie directum baronibus Northumbrie, Cumbirlandie et Westmerlandie pro rege Scocie ', which in 1291 are described as ' cartae ' (*Acts of the Parliaments of Scotland*, i. 108, 111).

⁴ *Rot. Litt. Claus.*, i. 215b, 227b, 249b, 308b.

It will be seen from the entry on the memoranda roll, which has already told us something of the Oxford council, that the barons recovered their hold on Norfolk and Suffolk in the autumn of 1215 and that the keeper appointed by them undertook the administration of the counties, and apparently held the usual county courts, until his authority was gradually displaced by the royal forces in the course of 1216.¹ We must suppose, therefore, that, wherever they were powerful enough, the baronial representatives carried on the administration as nearly as they could on normal lines and that, for this purpose, writs were issued in a form similar to those obtained by Nicholas de Stuteville. After May 1216 the administration of the barons merges into that of Louis of France. A glimpse of that later aspect of the *tempus guerreæ* is afforded by the entry on the memoranda roll, but the present paper designedly stops short of it.

The dissident barons did not abandon all at once the hope that John would yield to coercion and that a reconciliation was possible. They were the King's declared enemies and they had been formally excommunicated, but nevertheless they continued in touch with the King's supporters. Negotiations of some sort took place in October and again in November, while Rochester Castle was besieged.² In January 1216 Robert de Ros was corresponding in polite terms with John and expressing his readiness to comply with the King's wishes in the matter of Carlisle Castle,³ and in February and again in April he was negotiating with the King for a reconciliation.⁴ Nor was he alone among the Twenty-five to take such steps. A few indeed went over to the King : the Poitevin Count of Aumale deserted the baronial cause immediately the second rupture came ;⁵ the Constable of Chester and Roger de Montbegon made their peace

¹ Appendix A.

² See the safe-conducts of 17 and 22 October (*Rot. Litt. Pat.*, p. 157), and the safe-conduct of 9 November for a meeting, apparently at Erith, between representatives of the barons and Londoners, on the one side, and Peter des Roches, the Earls Warenne and Arundel and Hubert de Burgh, on the other (*ibid.*, p. 158).

³ See the King's letter of 8 January (*ibid.*, p. 163b) and the undated reply from Robert (*Rot. Litt. Claus.*, i. 269).

⁴ *Rot. Litt. Pat.*, pp. 165b, 175.

⁵ This is quite evident from the references to him on the charter, close and patent rolls. He was continuously in the King's service, until he deserted him on the arrival of Louis of France.

on 1 January 1216.¹ Even Robert de Vere was in treaty with the King in March.² In April, John was hoping to win over not only Robert de Ros but Eustace de Vesci, and professed to have abandoned any thought of penalising them if they would only return to his service.³ In May, these two, with William Mowbray, Richard Percy and John fitz Robert, together with other barons not, so far as we know, among the Twenty-five as then constituted, were making a bid for a settlement.⁴ How far these negotiations had the support of the Twenty-five as a whole; how far they were induced by faint hearts, as the hope of the coming of Louis of France and his army was deferred week by week;⁵ how far they had been mere ruses to gain time: to these questions we can give no answer. But the fact that, with few exceptions, the negotiations failed and that the Twenty-five or the more considerable among them, were the first to do homage to Louis,⁶ shows that a vital point of principle separated the barons from John, and this can have been nothing else but respect for the charter.

Meanwhile events had taught the Twenty-five one important lesson, to distinguish between the kingdom and the King. In one of the writs of 30 September they speak of *jus regni*, and it will be noticed that, in the other, there is a reference to a summons addressed to some of the men of Yorkshire to come to them in London *pro negocio regni*. Nor do they date by the year of John's reign, but by the year of the Incarnation. So far as in them lay, the Twenty-five intended to administer the kingdom: though war brought its inevitable violence and acts of lawlessness,

¹ *Rot. Litt. Claus.*, i. 245: cf. *Rot. Litt. Pat.*, pp. 162b, 163; *Rot. Chartarum*, pp. 219–221b. William d'Aubigné, who was captured in Rochester Castle, purchased his liberation in September 1216 (*Rot. Litt. Pat.*, p. 161b; *Rot. Litt. Claus.*, i. 277b, 280, 287). His case is not parallel to that of the others, but he ceased, of course, to be an effective member of the Twenty-five.

² *Rot. Litt. Pat.*, pp. 171b, 172b.

³ *Ibid.*, pp. 175–6. At the same time the sheriffs throughout England were being ordered to invite all those who were against the King, but had not 'abjured' him, to make their peace (*Rot. Litt. Claus.*, i. 270b).

⁴ *Rot. Litt. Pat.*, p. 180.

⁵ Petit-Dutaillis, *Louis VIII*, pp. 89–100.

⁶ The *Histoire des Ducs de Normandie*, p. 171, mentions seven, the Earls of Winchester, Hertford, Essex and Oxford, William Marshal the younger, Hugh le Bigod and Robert fitz Walter.

there was no interregnum, no threat of anarchy in the absence of a recognised King, as there was even so late as 1199 after the death of Richard I. It may be significant that the old idea, that the peace of the King dies with him and that law is then dissolved, seems to emerge for the last time on that occasion. Henceforth English history knows nothing of such primitive survivals, and advances to the conception of undying kingship.

'Le roi est mort : vive le roi.'¹ But this very maxim suggests how difficult it was to conceive of *regnum* without *rex*, and the barons called in Louis of France to take the vacant throne.² On his failure, they turned to Henry III and, in doing so, obtained voluntarily nearly all they had sought to extort from John. More than that, they had devised a method of curbing an unbridled king, to which recourse was made again and again in mediæval England. It is remarkable that when Richard II's rule had made him intolerable, men bethought them, not only of the deposition of Edward II, but also of the charter of Runnymede, and of the Twenty-five of 1215.³

¹ I have outlined the history of this development elsewhere : see *Handbook of British Chronology* (R. Hist. Soc.), pp. 2-3.

² The circumstances of Louis' election are obscure. The chroniclers not unnaturally are vague. Louis himself in his manifesto of May 1216 claimed that the barons 'nos in regem et dominum elegerunt' (Twysden, *Decem Scriptores*, col. 1869). The election seems to have been mentioned at the assembly of Melun, but not in the proceedings before Innocent III (Wendover, *Flores Hist.*, iii. 366, 373-8). Whatever its nature, the barons proposed to proceed to the election of a king after John's death. This we learn from the description of a document in the treasury at Edinburgh in 1291 : 'littera missa regi Scocie per magnates Anglie post mortem regis Iohannis de veniendo usque Norhamton ad regem eligendum, simul cum principe Northwall' (*Acts of the Parliaments of Scotland*, i. 112). The candidate was presumably Louis. Whether there was a formal election of this kind or not, the fact that it was proposed suggests that the previous election of Louis could have been provisional only.

³ In the Register of William of Cheriton, Prior of Lanthon Secunda (P.R.O., C. 115/A. 7, fo. 117-22), there is entered, among documents of 1387, a series of extracts from the 'Carta de Ronkemedi', immediately followed by 'Copia falsi endictamenti facti per ducem Hibernie et alios contra ducem Gloucestrie et alios fideles regni Anglie' (*Rot. Parl.*, iii. 233-4), an incomplete copy of Statute 10, Richard II, and then (after an irrelevant entry) 'Copia appellacionum ducis Gloucestrie et aliorum dominorum fidelium contra ducem Hibernie et archiepiscopum Eboracensem et alios'. The extracts from Magna Carta are from the beginning to the end of c. 3 and c. 61 to the end. The latter extracts are provided with cross-headings : 'De providenciis xxv. baronum' and 'De transgressionibus

Unlike mediæval politicians, modern historians have, on the whole, been contemptuous of the conception of a baronial council to control a King in whom no trust could be placed.¹ I cannot but think that this view is based upon a misapprehension of the actual achievement of the Twenty-five. That, at least for a time, they fell short of the full measure of success was largely because they were unable to find an effective counterpoise to the power of the Pope to bind and loose. They could not hold to their oath men, such as William Marshal, whose conception of feudal and religious obligation repelled them from extreme measures. Even if the bull 'Miramur plurimum' failed to move them, once Innocent III had quashed the charter, the Marshal and his fellows would inevitably feel that they were released from their obligation to obey the orders of the Twenty-five and, whatever their inclination, would see no alternative but to follow the King. Some even of the original Twenty-five fell away. We have but a partial view of the situation if we fail to perceive that behind the struggle for the charter there lies a struggle with the Papacy, seeking in an alliance with the King the pursuit of its own political ends. The resolution of the baronial leaders in sustaining the conflict is as noteworthy as the ultimate victory of their cause.

factis occasione discordie'. Evidently all these documents were circulated together. To my mind there can be no reasonable doubt that the committees of twenty-five in the 'Tract on the Stewardship' and the *Modus Tenendi Parliamentum* have their origin in chapter sixty-one of the charter.

¹ A notable, but almost solitary, exception is G. B. Adams, *The Origin of the English Constitution*, pp. 178-85, 247-9, 276-7.

APPENDIX.

A.

NOTE REGARDING THE SHERIFFS OF NORFOLK AND SUFFOLK, 1215-17.

K.R. Memoranda Roll 1217-18 (E. 159/1), m. 3.

Memorandum. Ante guerram Iohannes filius Roberti fuit vicecomes Norfolchie et Suffolchie, et Robertus de Cancellis pro eo, et tenuit comitatus as Pascha.¹ Post Pascha, incipiente guerra, Rogerus de Cressy per barones fuit

¹ 19 April 1215.

vicecomes, et Willelmus filius Roscelini pro eo tenuit comitatus usque ad festum sancti Petri ad Vincula¹ quando concilium fuit apud Oxoniam. Et tunc commisit dominus rex comitatus cum castellis Huberto de Burgo iusticiario, pro quo Walterus de Elingham tenuit tunc tantum unum comitatum in Norfolchia et duos in Suffolchia, quia Rogerus de Cressy, per vim baronum in armis, vi patriam occupauit et tenuit comitatus usque ad festum sancti Andree,² ita quod ipse Walterus nullum denarium de comitatibus ad illum terminum receperat. Post terminum illum, per vim constabularii Norwici, tenuit predictus Walterus comitatum in Norfolchia usque ad Anunciacionem beate Marie,³ sed nullum tenuit in Suffolchia propter barones : sed post terminum illum tenuit duos comitatus usque ad Natalem.⁴ Post Natalem fuit marescallus Francie⁵ vicecomes usque ad pacem et Fulco Bagnard pro eo. Post festum sancte Trinitatis⁶ Radulfus de Brai fuit vicecomes apud Lenn et in partibus illis per dominum Fulconem,⁷ et Ricardus filius Hugonis et Ricardus de Fresingfeld vicecomites fuerunt in Suffolchia apud Sanctum Edmundum et in partibus illis per dominum Fulconem similiter.

B.

WRITS OF THE COUNCIL OF TWENTY-FIVE.

Ancient Petitions, no. 15693.

The two writs printed below are taken from a transcript of the muniments of the Stuteville family, relating to Knaresborough and Boroughbridge, which Thomas Wake of Liddell (died 1349) put forward as evidence in support of a petition addressed to Edward III (Ancient Petitions, no. 15692). Thomas Wake was descended in the female line from the Stutevilles, his great-grandfather Hugh having married Joan, daughter and heiress of Nicholas de Stuteville, the subject of the writs. Thirteen documents are included in the transcript as follows :

1. Grant by Henry II at Woodstock to William de 'Stoteville' of Knaresborough and Boroughbridge to be held by the service of three knights. Since William was holding these places *in custodia* from Michaelmas 1172 (*Pipe Roll*, 19 *Henry II*, pp. 1-2), and since one of the witnesses is Richard de Camville, who, early in 1176, went on a mission to Sicily from which he did not return (*Gesta Henrici*, i. 117; *Pipe Roll*, 22 *Henry II*, p. 46; *Rotuli de Dominabus*, p. 84), the limits of date are fixed. Since William de Stuteville is shown in the pipe rolls as holding *in custodia* until Michaelmas 1178, it would seem as though neither this nor the following charter took effect before that date, though both were issued more than two years previously.

2. A charter in similar terms, issued at Argentan. Since William Earl of Arundel is a witness, the date cannot be later than 19 October 1176, when he

¹ 1 August 1215.

² 30 November 1215.

³ 25 March 1216.

⁴ 25 December 1216.

⁵ William de Beaumont : see *Patent Rolls*, 1216-25, pp. 94-5.

⁶ 21 May 1217.

⁷ Faukes de Bréauté.

died. Henry II was, however, in England from May 1175 onwards, and the charter must have been issued earlier. It is not included in Delisle-Berger, *Recueil des Actes de Henri II*.

3. Grant by Richard I, in similar terms, 7 December 1189. Not in Landon, *Itinerary of Richard I*, p. 22.

- 4 = *Rotuli Chartarum*, p. 54b (no. 3).
- 5 = *ibid.*, p. 108 (no. 1).
- 6 = *ibid.*, pp. 107-108.
- 7 = *ibid.*, p. 108 (no. 2).
- 8 = *ibid.*, p. 166 (no. 1).
- 9 = *Rotuli Litterarum Clausarum*, i. 43 (no. 1).
- 10 = *ibid.*, p. 45b (no. 1).
- 11 = *ibid.*, p. 66 (no. 10).
- 12 and 13, now printed.

I.

Galfridus de Mandeuill', comes Essex' et Glouern', et Saherus, comes Wynton', et Ricardus de Clara, comes Hertford', Briano de Insula salutem. Mandamus tibi quod, visis litteris istis, teneatis iuramentum quod fecistis ad sectam commune carte regni, ita quod reddatis Nicolao de Stoteuill' castellum de Knaresburgh' quod ei adiudicatum est ut ius suum per viginti quinque barones. Et, nisi feceritis, non habeatis amodo in nobis fiduciam, nec de corpore vestro nec de terris nec de catallis, quoniam omnes qui contradicunt huic iudicio et huic mandato contra iudicium et ius regni sunt. Teste Roberto de Verr', comite Oxon', apud Londonias tricesimo¹ die Septembribus anno Incarnationis Domini MCCXV.

II.

Galfridus de Mandeuill', comes Essex' et Glouern', et Saherus, comes Wynton', et Ricardus de Clara, comes Hertford', Roberto de Roos custodi Euerwykeschir' salutem. Mandamus vobis quatinus illos in bailliua vestra, exceptis illis quos mandauiimus venire nobis pro negocio regni, faciatis cum toto conamine adiuuare Nicholao de Stoteuill' ad distingendum et ad grauandum illos de castello de Knaresburgh', sicut visum vobis erit utilius ei et patrie. Teste Roberto de Verr', comite Oxon', apud Londonias tricesimo² die Septembribus anno Incarnationis Domini MCCXV.

¹ MS. appears to read 'tricesimouno' or 'tricesimoimo'.

² Blundered, as in preceding writ.

SUBIACO¹

By ROMANUS RIOS, O.S.B.

FOLLOWING in the footsteps of their holy Founder, St. Benedict, the Patriarch of Peace, the Benedictines endeavour to be the professionals of peace. Peace is their centuries-old motto ; and 'the beauty of order' characterizes the even tenor of their life of prayer and work. For this reason the havoc produced by the present world-war is perhaps more acutely felt in the Benedictine abbeys than in other places. Moreover, God has allowed a series of calamities to befall the Benedictine houses, thus inviting, as it were, the followers after peace to offer themselves as war-victims for the peace of mankind. Some thirty to forty abbeys throughout Germany, Austria and Czechoslovakia have experienced, to a greater or lesser extent, the methodized tyranny of Hitler's 'patriotic' measures. Other abbeys in Belgium, Holland, Luxemburg and France have had much to suffer at the hand of the German invaders. The houses of Poland have all disappeared. Even in a remote corner of North-Western Australia the Superior of the Drysdale River Mission has fallen a victim to the wanton Japanese bombing. All know the tragic fate of Monte Cassino. The latest news of further destruction comes again from Italy. *The Times* of June 22nd, published the following lines :

'Damage at Subiaco. (From our special correspondent.) Rome, June, 21st. I am informed from the Vatican that the monasteries of Subiaco escaped with damage which, though serious, was not overwhelming. One cloister was wrecked by a bomb, but the church with thirteenth-century frescoes is intact.'

The Benedictines indeed have good cause to address their beloved abbeys with the lines :

Cum bellica vi quid vobis,
amata pacis moenia ?
Insanus, heu, quis vos furor
legit pias in victimas ?

¹ Reprinted with the permission of the Librarian, Mark Strahl, O.S.B., from the "Buckfast Abbey Chronicle", Vol. 14, no. 3.

We propose to give our readers a few historical data on the twin monasteries of Subiaco, less known perhaps in England than the more famous abbey of Monte Cassino. From the wording of the newspaper report it is not the Priory of the Sacro Speco, but the monastery of Santa Scolastica which has been bombed ; but for what purpose remains a puzzle to all who know the topography of the abbey.

. . . .

In the official catalogue of Benedictine monasteries and monks the abbey of Subiaco receives the title of *Proto-coenobium*—the first monastery, whereas that of Monte Cassino is termed the *Archicoenobium*—the principal monastery. These two titles show the connection of each house with their common Founder, St. Benedict : it was at Subiaco that the Saint began his monastic career, and it was at Monte Cassino that he left this earth for heaven. For this reason both places have been ever since held in great veneration by all the Benedictine monks.

Subiaco—*Sublacum, Sublaqueum*—is a small city of some 10,000 inhabitants belonging to the province of Rome, south-east of the capital, twenty-five miles from Tivoli. It is picturesquely situated on the River Anio (*Aniene*) some 1,339 ft. above sea-level, on the Western spur of Mount Calvo in the Simbruine Mountains. The city derives its name from the three artificial lakes which Nero made by throwing three dams, one above the other, across the deep gorge of the river. Thus were formed the *Simbruina stagna* mentioned by Tacitus. The lakes have long disappeared ; the last was destroyed in 1305. Overlooking the lowest lake Nero had a sumptuous villa constructed for himself as a summer resort, and here he disported himself by fishing trout with a gold hook.

But the fame of Subiaco is permanently associated with the name of St. Benedict. When about twenty years of age Benedict, then studying law in Rome, determined to become a monk. Accordingly, about the year 500, he left the city, and after a stay of one or two years' duration at Affile, near Subiaco, finally found his way to a natural cave, a short distance from the ruins of Nero's villa, among the mountain fastnesses overlooking the

Anio, amid a scenery formidable in its wild beauty. In this cave the Saint spent several years, serving his rude apprenticeship to the eremitical life, or, as St. Gregory the Great puts it, 'dwelling with himself in the sight of his Creator'.

Eventually Benedict's hiding place was discovered, and disciples began to flock to him and from being a hermit the Saint became a Founder. In a few years on the summits of several of the neighbouring mountains as well as in two or three valleys, thirteen monasteries were built to house the ever-growing recruits. Two of these foundations—the most important—remain to this day, namely, the abbey of Santa Scolastica, which St. Benedict originally dedicated to Saints Cosmas and Damian, and the monastery of the Sacro Speco, dedicated to St. Benedict himself. The latter is built, like an eagle's nest attached to the rock, over the cave where the saint lived as a hermit. These twin monasteries form one single community under one common abbot, and are known in Benedictine history as 'the abbey of Subiaco'; although, at Subiaco itself, they are usually styled, in the plural, *I monasteri Sublacensi*.

The foundation of the abbey of Santa Scolastica must have taken place about the year 520. It is situated about a mile below the Sacro Speco. In St. Benedict's time considerable ruins of Nero's villa were still extant, and these were used by the Saint, as later on the *Acropolis* at Monte Cassino, for the foundations of his monastery. From the Dialogues of St. Gregory it is obvious that from this place the Saint ruled the other twelve monasteries, each containing a community of twelve monks. It was, therefore, the headquarters of the whole group, or, as we should now call it, of the Congregation. The community living under St. Benedict himself must have been considerably larger, as it included the young boys who had been brought to Subiaco from Rome and elsewhere to be reared by the Saint in the service of God.

When St. Benedict, c. 529, abandoned Subiaco for Monte Cassino, it was to one of these boys, St. Maurus, now a young man of some thirty-five years of age, to whom he confided the government of Subiaco. St. Gregory the Great implies as much, and if this inference is correct, Subiaco may claim as its second

abbot, the first and favourite disciple of St. Benedict.¹ St. Maurus was succeeded by St. Honoratus, one of the sources of St. Gregory's narrative. When this holy Pope was writing his Dialogues, the Sacro Speco was already famous as a shrine.²

Shortly after the death of St. Gregory the Great (604) the twin monasteries seem to have been destroyed by the Lombards, being eventually rebuilt, it is said, by order of John VII (640-642). They were certainly demolished by the Saracens in 840 and restored during the pontificate of St. Leo IV (847-855). Thence-forward our knowledge of the history of the abbey is more abundant. Shortly after 936 the proto-coenobium came under the benign influence of St. Odo, abbot of Cluny ; to what extent, however, we cannot very well determine. This much we know, that Subiaco was then a veritable house of God and that this happy state of affairs continued throughout the two following centuries. The abbey had much to suffer at the hands of the Hungarians in 981 ; but was flourishing again shortly after. Two of its abbots deserve special mention : St. Peter III (922-1003) who suffered martyrdom in the Castle of the Lords of Monticelli for his courage in upholding the rights of the abbey ; and abbot John V (1068-1120), to whom the chronicle gives the title of *gloriosissimus abbas*. It was he who sent a colony of his monks to staff the Austrian abbey of Melk, founded in 1089. Abbot John became Cardinal under Pope Urban II, himself a Benedictine. It was under Abbot John's regime that Bl. Palumbus, a native of Mersico and a priest, received the cowl about the year 1090, and lived, a miracle of mortification, until 1115 at the Sacro Speco, where his body is venerated to this day. Meanwhile the buildings of both monasteries were growing in grandeur. Actually the beautiful campanile of Santa Scolastica, still standing—we hope the bombing has not destroyed it—dates from the year 1053. Exactly one century later, there lived in the solitude of Morra Ferogna, near Subiaco, the anchoress St. Chelidonia (d. 1152), a native of the Abruzzi, who had received the monastic veil at Santa

¹ Cf. Dom. C. Lambot, *Le Successeur de St. Benoit à Subiaco*, in *Rev. Lit. et Mon.*, Maredsous, 1931, pp. 101-104.

² *II Dial.*, ch. 37, 38.

Scolastica and lived in her solitude under the direction of the monks of the protocoenobium. Bl. Laurence of Fanello (d. 1244), a monk-priest and hermit of Subiaco, closes the catalogue of the Saints and Beati of the abbey.

Shortly before the year 1228 an event took place at Subiaco which both Benedictines and Franciscans love to record, viz. the visit of St. Francis to the abbey. By a fortunate chance the painters of the Scola Umbra were just then engaged in decorating St. Benedict's church at the Sacro Speco. They seized the opportunity to paint the likeness of *Frater Franciscus* in a corner of St. Gregory's chapel, and there it remains to this day the first and most authentic portrait of the Poverello. It lacks the halo and the Stigmata; consequently the visit must have taken place before 1228. At the spot where St. Benedict had overcome the temptation against chastity, St. Francis grafted a rose tree on to the briars, and there every spring the roses blossom forth in memory of the two great Founders.

The period of Subiaco's greatest glory, both from the spiritual and the cultural point of view, extends, with occasional short intervals of crisis, throughout the XIVth and XVth centuries. It opens with the abbacy of Bartholomew II (1318-1343), who wrote the *Consuetudines Sublacenses*,¹ a book which played an important part in the German Benedictine revival of the same centuries. We quote the latest historian of the abbey²:

'During the same period (XIIth to XVth centuries) the arts, with lavish hand, scattered their treasures in the shape of new buildings and their ornamentation. Of these there are still to be seen precious remains, preserved in spite of the lapse of centuries and the not always wise care of men. In the Sacro Speco may still be admired buildings dating from the XIIth to the XIVth centuries and frescoes which, executed at different epochs—from the IXth to the XVIth centuries—constitute a perfect synthesis of the history of painting in Italy. In Santa Scholastica, the campanile erected by Abbot Umberto in 1053, still commands our admiration: as do also the graceful cloister *dei Cosmati*, finished under Abbot Lando (1227-1243) and the Gothic cloister, likewise of the XIIth century.'

'Abbot Bartholomew III (1363-1369) . . . replaced the unruly local monks by foreigners, principally Spaniards and Germans. With the former there came

¹ Edited by Abbot Leo Allodi, Subiaco, 1902.

² Dom H. di Brizio, in *L'Italia Benedettina, I Monasteri Sublacensi*, pp. 96, seqq., Rome, 1929.

to Subiaco Ludovicus de Prades, Bishop of Majorca, who proved an illustrious benefactor of the abbey. . . . Examples of his munificence may be still contemplated in the chapel of the Angels, decorated with beautiful frescoes, and, perhaps, in the paintings of the XIVth century at the Sacro Speco, beautiful and finished examples of the Sienese School. The German monks for their part embellished the atrium at the entrance of Santa Scolastica with Gothic arcades. One only of these arches has survived, namely, that known from the small statues which adorn it, as the Prophet's arch.'

Petrarch, who visited Subiaco about the year 1360, was so impressed with the devotional beauty of the Sacro Speco that he described that holy spot as the Antecamara Paradisi.

The renewal of monastic discipline at Subiaco through the agency of Spanish and German monks soon had a happy repercussion in Germany itself. Both Austria and Poland petitioned the Council of Constance for a colony of monks trained at Subiaco. Subiaco responded generously, dispatching forthwith seven of its best monks—six Germans and one Spaniard—under the leadership of Nicholas Seyringer of Matzen, a man of outstanding merit. These monks were sent by the Council to Melk, where they arrived on January 25th, 1418. They at once launched their campaign of reform, which proved extraordinarily successful. The revival spread rapidly to a great number of abbeys in Austria, Bavaria, Swabia, Switzerland, Bohemia, Hungary and Poland. All accepted the *Consuetudines Sublacenses*, slightly altered to suit the social conditions of the new countries. Melk, with its zealous abbots and its fervent and learned community, was for a long time the focus of Benedictine observance in Central Europe. The *Chronicon Mellicense*, covering the years 1419 to 1531, lists as many as one hundred and twenty-one foreign monks who stayed for a time at Melk to study its customary, which originally was that of Subiaco, with a view to introducing it into their own abbeys.

The stay of the German monks at Subiaco was beneficial to Italy at large since it led to the introduction into that country of the first printing machine, installed at the abbey of Santa Scolastica from 1464 to 1467. There is a tradition that the work was done at the expense of the monks by two German laymen, by name Conrad Schweinheim and Arnold Pannartz; but Dom Leo Allodi has suggested that the first typographers who worked

at Subiaco were not laymen but resident German monks, who might have learnt their craft in Germany.¹ At any rate the fact remains that the cradle of typography in Italy was Subiaco, where the first books were printed at the expense and under the patronage of the Benedictines.

In 1445 the abbey had been given *in commendam*. The first Commendatory Abbot was the Dominican Cardinal John de Torquemada (d. 1468), who wrote a very interesting commentary on the Rule of St. Benedict. He is not to be confused with his nephew, also a Dominican and a Cardinal, the more famous Thomas de Torquemada (d. 1498), the Inquisitor.

In 1515 the abbey joined the Cassinese Congregation, and from this time it may be said to have lost its characteristic life, being submerged in the congregational group of some eighty Italian abbeys. Nevertheless, even in the XVIIIth century, when religion may be said to have reached its lowest ebb, there lived at Subiaco the Ven. Dom Hippolytus Pugnetti (1677-1744), one of the most learned and saintly monks of his time.

After the French Revolution monastic life in Italy was left in a chaotic state. To the ruins which Napoleon's soldiers had left in their train throughout the peninsula, was now added the political excitement associated with the movement for a United Italy. This movement may indeed have been very patriotic, but in many quarters, and particularly in religious communities, it led to restlessness and insubordination. A notorious example of this occurred at the abbey of Santa Scolastica, where in 1848 several of the monks openly revolted against Pius IX. In order to save the abbey for the Benedictine Order the Pope on his own initiative nominated abbot Dom Peter Casaretto to govern the twin monasteries.

With Dom Casaretto's regime begins for Subiaco a new era of continued progress. Dom Casaretto was born at Ancona in 1810, and became a Benedictine at Cesena in 1828. Early in his monastic career he became inflamed with a twofold ideal : to

¹ Dom L. Allodi in the preface to his edition of the *Cronaca Sublacense* by Dom Cherubino Mirzio, O.S.B., Rome, 1886, pp. xiv-xxiii.

restore the common life in the Italian abbeys by bringing them back to the original observance of the Cassinese Congregation, and, secondly, to revive among the Italian Benedictines the Benedictine Apostolate in foreign lands. In 1843 Dom Casaretto launched his reform in Liguria, and was so far successful that five ancient abbeys rallied to his cause, which met at once with the heartiest approval from the Holy See. So it came about that in 1850 Pope Pius IX appointed Dom Casaretto Abbot of Subiaco, and thus a new era of monastic fervour dawned for the proto-coenobium. Dom Casaretto's revival, after standing the fiery test of prolonged adversity and obloquy, gave rise first to the Subiaco province of the Cassinese Congregation (1851) and eventually (1872) to the present Cassinese Congregation of the Primitive Observance,¹ so styled officially by the peremptory command of Pius IX. To-day, after just one century, this Congregation is the largest of the Black Benedictine groups and counts fifty-five houses spread over Italy, England, Belgium, France, Spain, Germany, Australia, the Philippine Islands, Palestine, Syria, South America, South Africa and Indochina. The headquarters of the Congregation remain still at Subiaco.

Dom Casaretto's missionary ideal had a happy repercussion in England. It had long been his ambition to establish a house in this country, which should serve as a starting point for future missionary enterprises in the British diaspora. In 1847 he recruited a number of English youths who eventually made their profession and were raised to the priesthood at Subiaco. Dom Casaretto now enlisted the services of his great friend, the Ven. Vincent Pallotti, whose Institute was already established in London, and through the agency of two Pallottine Fathers resident in England, Fathers Melia and Faà di Bruno, these English monks from Subiaco settled at Ramsgate in 1856. Dom Casaretto came personally to England to start the new monastery. Ramsgate is therefore the second direct foundation from Subiaco.² It is

¹ As has been explained in the text, the adjective *primitive* does not imply a return to the letter of the Holy Rule, but a return to the original observance as introduced in 1419 by Dom Barbo when he instituted the Congregation of St. Justina of Padua, afterwards called the Cassinese Congregation.

² The first being Melk, but if we count Monte Cassino as a foundation from Subiaco, then Ramsgate is the third.

also interesting to record that La Pierre-qui-vire, the monastery whose original community revived the abbey of Buckfast, owed indirectly its Benedictine life to Subiaco. In 1848 the Founder of La Pierre-qui-vire, the Ven. John Baptist Muard (1809-1854), travelled to Italy for the purpose of deciding on a rule for a new foundation he was planning. From Rome he went to visit Subiaco and spent a few months as a hermit in the small monastery of San Lorenzo—one of St. Benedict's original foundations. When he left that place he was already determined to adopt the Benedictine Rule, which he in fact did when shortly afterwards he established La Pierre-qui-vire. Subiaco can, therefore, claim in all justice to have been one of the main factors in the wonderful Benedictine revival of modern times.

At Subiaco itself the past century has been one of steady progress. After Dom Casaretto, this success has been due to two brothers of outstanding ability and piety—Dom Dominic and Dom Maurus Serafini. Dom Dominic, after having been Procurator General and Abbot General of the Congregation, which office he held conjointly with that of Abbot of Santa Scolastica, became Archbishop of Spoleto, Apostolic Delegate in Mexico, Assessor of the Holy Office and Cardinal Prefect of Propaganda. It was an open secret in Rome that he was first candidate to the papacy in 1914, but he succeeded in avoiding election on the plea of ill health. He died in 1918. His brother Dom Maurus from being Abbot General and Abbot of Santa Scolastica was chosen Secretary of the Roman Congregation of Religious, and died a premature death while holding that office (1925). Cardinal Serafini was instrumental in restoring (1915) to Santa Scolastica the dignity and prerogatives of an Abbey Nullius which had been originally granted by Pope Paschal II (1099-1118). Another monk of Subiaco who deserves special mention is the young priest Dom Sylvester Dogliotti, who died in the odour of sanctity in 1923.

The present Abbot-Bishop of Subiaco, Dom Laurence Salvi, is therefore an Ordinary and rules a diocese of 25 parishes comprising 50,000 souls. The Benedictine community numbers some sixty to seventy members. The monks direct a seminary,

housed at present in the monastery itself. They also conduct a printing press which has produced many excellent books. In the library and archives, besides 380 manuscripts (fifteen date back to the Xth and XIth centuries) they have precious incunabula, printed at Subiaco when the original press was first established. It seems that the cloister which has been destroyed by bombing is the entrance cloister ; if this is so, not much has been lost architecturally, but the printing press will certainly have suffered heavy damage. If, however, the bombed cloister is that erected by the Cosmati Brothers, c. 1230-1240, the loss must be pronounced irreparable.

OLD TESTAMENT STORIES: THEIR PURPOSE AND THEIR ART.¹

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IN the constitution of the story, long or short, there are three interwoven elements. All three are necessary, and there can be no story without them. There must be something done, by someone, and in some place. In other words we must have activity of some kind, physical or mental, character, and setting. These three elements need not exhaust all the component parts in a story, but they at least must be present. The variations rung on these three elements and the stress laid upon one or more of them, help largely to determine the particular character of the story and fix its classification. They give the story its tone and colour.

If a story is to be successful as a story, there must be occasion for it. There must be some incident to record, some situation to depict, some characterization to present. Since the success of a story depends largely on its effect upon the reader or hearer, it must be so presented as to maintain his interest. The art of the storyteller will fail of its purpose if the story is pointless or commonplace. Only the unusual, the unexpected, the marvellous can be relied upon to capture and hold the attention. In the short story—and in the Old Testament the stories are short—there should be a climax to which the story moves. The skill of the storyteller is revealed in his ability to arouse the interest of the reader, carry him along as the story proceeds, increasing all the while the intensity of interest, until the climax is reached.

The Old Testament stories are concerned mainly with the figures of Hebrew tradition, and they are, primarily at least, figures of real life. It may be, in order to achieve the purpose of the narrator, that these figures, when they become characters

¹ A lecture delivered in The John Rylands Library on the 12th of April, 1944.

of a story, are at times redrawn or overdrawn, that the setting in which they live and move may be idealized and the incidents in which they take part idylлизed, and that the action, in the course of its detailing, may be elaborated or even exaggerated. There can, however, be no doubt that the Old Testament stories, in varying degree of course, are so skilfully composed that they attract and retain the interest and attention of the reader. There is probably no group of stories in world literature whose effect has been so striking and so permanent. The plot, the characters, and the phrasing are the joy and the abiding possession of millions.

What, then, can be described as the characteristic features of Old Testament story-telling? The worldwide appreciation accorded to the stories, shows that there must be something precious and durable in their content and structure. Even a superficial examination of a number of the stories with which the Old Testament records are so liberally embellished leads easily to the recognition of some marked features. An outstanding feature, and one which leaps to the eye everywhere, is the economy of words and the paucity of descriptive matter. Characters are introduced and drawn and scenes are depicted with remarkable brevity. Beyond the fact that Abraham was the son of Terah and took a wife Sarai and moved from Ur of the Chaldees to Haran and dwelt there we are told nothing more by way of introduction to Abraham. Elijah is introduced even more baldly. "Elijah the Tishbite, who was of the sojourners of Gilead." Of David we are merely told, "Now he was ruddy and withal of a beautiful countenance and goodly to look upon". The reader is thus left to form his estimate of the characters in the account given of their utterances and their deeds.

It follows that where there is such studied crystallization, each small detail becomes of account, and every word may be accounted of value. An example of the masterly fashion in which drama and pathos can be packed into a brief compass is given in this moving description of the death of the Shunammite child.¹ "And when the child was grown it fell on a day that he went out to his father to the reapers. And he said unto his father,

¹ 2 Kings 4 : 18.

My head, my head. And he said to his servant, Carry him to his mother. And when he had taken him and brought him to his mother, he sat on her knees until noon and then died."

The setting, too, of the narrative is often skilfully suggested but seldom described. Thus in the patriarchal narratives no definite idea is obtained by the reader of the country where Laban and Jacob lived and fed their flocks and herds. The flocks and herds materialize but only just sufficiently for the purposes of the tale. The landscape does not emerge at all. The mind's eye can only picture some country where sufficiency of grass grows, but whether the country is waste land or cultivated is left to the imagination. The appreciation of landscape is a product of western civilization for which the development of the art of painting may be partly responsible.

The characters are usually delineated in bold strokes, and a prominent feature is the use of dialogue. The narrators seem to find this literary medium particularly useful for the purposes of characterization. Where a modern story writer would devote long paragraphs to an appraisement of the characters of his story, the Hebrew narrators can produce the same result more artistically by a skilful use of dialogue. We get to know people by their utterances as well as by their actions. Dialogue, besides giving vividness to narrative, is probably the most effective medium for the presentation of character.

To maintain interest and heighten tension in the reader as the tale runs its allotted course, the storyteller, both ancient and modern, seeks to bring into play to serve his purpose responsive and poignant emotions of the reader, such as anticipation, curiosity, expectation, surprise, suspense, joy, delight, love, pity, apprehension, fear, terror, dread, horror, guilt and the like. It is the privilege and the pleasure of the reader to experience in his own person the emotions which stir the characters in the story. He can live their lives, participate in their feelings, share their dangers, enjoy their triumphs, be involved in their misfortunes, even become a partner in their crimes, with an entire absence of responsibility. He can live dangerously without fear ; he can run counter to the laws of God and man and escape all consequences. By merely turning the page he can demonstrate

his safety and can revert in security to the task of solving the problems of his own less adventurous and more humdrum existence, reinvigorated with the thrill of the excitements he has thus experienced.

The Old Testament story can offer all this to the reader, but the Old Testament story has also inherent in it an element which is seldom present in the story of the modern fiction writer. All Old Testament stories have God in them. It is true that they deal largely with human beings and their doings but, sometimes in the foreground, sometimes in the background, sometimes visible, sometimes invisible, sometimes on earth, sometimes in the remote heaven, God is ever present. The reader may not see Him, may not visualize His presence, but he cannot escape His influence. God gives point to every Old Testament story for every such story is related in some way to God. It is instinct with God's greatness and might, God's teaching, God's personal interest in His chosen people, and the worship and reverence due to God. In all Old Testament stories there is, then, an underlying tendency or motive. It is this tendency, this moral purpose which decides the Old Testament stories being what they are and where they are. The Old Testament is a book of religion. Its purpose is to direct the thoughts and minds of people Godward. The entire literature which goes into its composition is tinged with this moral purpose. The Old Testament story hence is designed to be, in addition to a record of happenings, a parable for the instruction of others in which the religious lesson to be conveyed predominates over the historicity of the incident with which it is concerned. God is thus the controlling factor in all Old Testament stories and motive or tendency plays a highly important rôle.

It has been a feature of other early literatures to use fable, especially that form of fable in which animals play the part of human beings, as the instrument for moral instruction. The fable allows great freedom of treatment. The characters are fictitious and where personality is not developed interest can be focussed directly on the lesson to be learned. The characters, too, are drawn to suit the purposes of the story, and the instruction desired can be conveyed more obviously and directly. Of

such nature are the Sanscrit Fables of Bidpai (or Pilpai) in early Buddhist literature, the well-known Aesop's Fables in Greek literature, and of La Fontaine in French literature. But the Hebrews did not require to have recourse to fables. Their traditions were so rich in great personalities that the tales associated with them could supply all the moral teaching they needed. Hence the fable is almost entirely absent from the Old Testament writings. There are but two examples of its use, and in each not animals but trees are personified. One is the fable in Judges¹ of the trees that would anoint a king. The olive, the fig and the vine all refuse to give up their normal functions in order to become king. When an appeal is made to the bramble it mocks them, bidding them come to take refuge in its shadow. If they have no intention of doing so and are merely having sport, then may vengeance come forth from it to smite them. The other forms part of the snub administered by Jehoash, King of Israel, to Amaziah, King of Judah, where he quotes from a tree fable. "The thistle that was in Lebanon sent to the cedar that was in Lebanon, saying, Give thy daughter to my son to wife. And there passed by a beast of the field that was in Lebanon and trode down the thistle."² The setting of both these fables is Lebanon, and it is thought that they may be a survival from Canaanite literature, and that there possibly may have been a book of fables with some such title as The Book of the Stories of the Trees of Lebanon.³ To only two animals is the power of speech attributed in the Old Testament, the serpent in the Garden of Eden, and Balaam's she-ass. In neither case are they constituents of an animal fable.

There is a view, widely held, that the Old Testament stories have received their artistic and polished form at the hands of professional storytellers. That is possibly so, for storytelling as a form of entertainment in the East may well have a long history. But it should not be forgotten that amongst the Hebrews the requirements of education must have necessitated the use of written literature of various forms. Boys had to be educated

¹ 9 : 8-15.

² 2 Kings 14 : 8, 9.

³ See D. B. Macdonald, *The Hebrew Literary Genius*, Princeton, 1933, p. 139.

for the priesthood as well as for lay occupations. For teaching purposes texts are necessary. For children who must learn of their nation's past, the story forms the most valuable instrument of instruction. That many of our Old Testament stories are well suited, one might almost say, designed, for this purpose is self evident. The Garden of Eden, the Flood, the patriarchal narratives, Joseph and his brethren, Samson, David and Goliath, and very many more, are all stories such as children love and can appreciate. The language, too, in which they are told seems to bear this out. It is in general, simple, with easy syntax and is such as a child can readily assimilate. There is also the obvious moral lesson in each which can be so quickly and so firmly embedded in the mind and memory of childhood to endure throughout life.

We observed at the outset of the lecture that a story has as basic elements action, character, and setting, and in the case of the Old Testament stories, motive.

As a story in which the emphasis is laid on the action, we think naturally of the combat between David and Goliath. It is a story which is told in brief compass, but it is none the less effective. It has been skilfully composed to hold the interest and fan the excitement of the reader till the climax is reached. The story opens with a brief description of the setting. The Philistine and Israelite armies oppose each other from the slopes of two mountains with a valley between. The Philistine giant Goliath, who challenges any Israelite to single combat, is described in a fashion to inspire awe, his great height, his massive armour, his spear shaft like a weaver's beam, the weight of his iron spear head. He is a figure to strike terror, and this he does most certainly in the Israelite ranks. To show the extent of the panic Saul himself is included amongst the fearful, and the warriors of Israel flee from before the giant when he appears.

We are suddenly switched to David's household. He feeds his father's sheep. His father sends him to inquire after his three brothers, who are with the army of Saul. He goes, bearing at his father's request, food for his brothers and a gift of ten cheeses for their commanding officer. We follow him with interest as he reaches the army's supply column. He is in a

hurry. He leaves what he brought with him with the keeper of the baggage and rushes off to the army now lining up for battle. He meets and talks to his brothers. The giant stands out in front of the army as he did daily and David resents the challenge and asks what is to be done to this uncircumcized Philistine who has defied the armies of the living God. The reader feels that David is getting himself into a false and dangerous position. He is indirectly making an accusation of cowardice against the Israelite warriors and doing so from the vantage point of a non-combatant. This is brought out strongly by a rebuke from his elder brother, who is piqued at David's attitude and scolds him angrily, saying in effect, Who are you to talk like this. You who have run away from your miserable sheep. All you want is to see a fight. But David retorts that there is a reason for his presence, and continues with his questions, thus making his position worse. The upshot is that the matter is brought to Saul and David is summoned to Saul's presence. The reader now feels that David's bluff, if it is a bluff, is being called. He cannot back down now without terrible disgrace, and the reader gets more and more fearful for David. This fear is increased when David, far from showing a proper humility and temporizing, boasts before Saul of his prowess against a lion and a bear. What he had done to the lion and the bear he can do to the Philistine giant with God's help. The reader is somewhat relieved when Saul equips him with the best of armour. At least David will have some protection in the fight—indeed the best possible that can be supplied. Then the reader's anxiety is added to considerably when David quickly discards it because he is inexpert in its use. But the reader is reassured because he knows that David is not alone. At the back of David stands the Lord. It is now the giant who glories in his might and boasts himself against the shepherd youth whom he disdains. He will give his flesh to the fowls of the air and the beasts of the field. He then curses David by his gods. It is now not merely a battle between David and Goliath, but a battle joined between the Lord and the Philistine gods. The action is delayed and the tension kept at full stretch as David goes to the brook to collect his five smooth stones. One stone is apparently enough, and when the

combatants approach each other the tension is dramatically relieved when the stone sinks into the forehead of the giant and he crashes to the ground. David, without even a sword of his own, has to make use of Goliath's own sword to behead him.

Notice the effective use of contrast in this vivid story of action. The mighty giant, the small shepherd boy, the man of war, the untrained stripling, the massive armour, the sling and stones. What a perfect reminder this exciting tale is to weak childhood that with God's help weakness can prevail against strength, and that God can choose the weak things of this world to confound the things that are mighty. The story is full of action, but the reader is kept on tenterhooks as to the outcome of the unequal struggle which he sees approaching. He is not hurried along to the climax. It is approached gradually with his interest kept at high tension.

We would select now a story where the emphasis rests on the characters. And one of the best examples of this is the story of Joseph. Whilst the setting of the story is a feature, it never controls it. Joseph does not advance to high rank and power because he happened to be sold into Egypt. You feel that he would have been equally successful if the Midianite caravan had been going the other way and he had been sold into slavery in Babylon. It is the character of Joseph *vis-à-vis* his brethren which is the main interest. A sudden reversal of fortune is something which intrigues every one. The reader feels it might be himself enjoying such a blissful experience. Joseph in the pit has reached the very depths of misery with death very near. From that point he ascends to affluence and is in a position to turn the tables on his brethren. The reader, from his vantage point behind the scenes, is privileged to know what is going on in the mind of Joseph and in the minds of his brethren. The irony of the situation grips him. His curiosity to see what Joseph will do to his brethren when he has unlimited power over them keeps his interest at full stretch. The punishment of the brethren is in their fearful and tortured minds and their stricken consciences. The skilful way in which they are kept on tenterhooks by finding themselves exposed to the charge of theft and all that that entailed, and to the loss of their

youngest brother and its feared effect on their aged father. The conscience smitten brothers have no rest. They cannot reconcile Joseph's conduct with what has to be expected from one whom they had so injured. Even the favour shown by Joseph to them and his expressed forgiveness of their conduct does not allay their fears, which break forth afresh on the death of their father. They think that Joseph has only done all that he has done to please his father. When their father is dead and his restraining influence gone, they fear that the real vengeful Joseph will reveal himself so they concoct a dying message from their father to Joseph to spare their lives. Joseph's brethren are not depicted as wholly bad or depraved. Joseph is introduced to us at the outset as a young tell-tale who got his brothers into trouble with their father. He is petted and favoured by the father so occasioning their jealousy and hatred. His dreams suggesting his own lordship over them and over his father and mother, intensify their hate. Clearly Joseph, this upstart youngster, needs to be suppressed, but death seems to the reader an unnatural and disproportionate punishment, especially for their own brother. It must be remembered, however, that these men were brothers of Joseph by the same father but not the same mother. The reader is not led to expect any deep affection existing between them and Joseph. This is brought out later in the story when Joseph's great love for his full brother, Benjamin, is depicted.

The brothers act in concert, although Reuben and Judah are singled out as showing finer feelings. They are actively interested in helping Joseph and sparing the feelings of their father. The searching of heart in the brothers when Joseph demands the surrender of Benjamin is convincingly drawn. Through anxiety for their own safety and that of their youngest brother, and their fear of the effect of the surrender of Benjamin upon their father, they find themselves in a predicament from which they cannot escape. In all this they are enduring a merited punishment for their early treatment of Joseph. Their punishment is mental, not physical, but it is none the less severe.

The character of the aged father, Jacob, is skilfully delineated although he appears so seldom. But every appearance adds to our knowledge and contributes to our estimate of him. The

anxious old man, proud of the son of his old age, griefstricken at his presumed death, fearful lest Benjamin suffer the same fate, distrusting his other sons whom he clearly suspects of knowing more about Joseph's death than they have revealed, so overjoyed at the reunion with the son whom he had so long regarded as dead, and could with difficulty be brought to realize was indeed alive, willing in his old age to go down to Egypt to die there, happy to die when he had seen and blessed Joseph's two sons, Manasseh and Ephraim.

Joseph is an example of what a man can do and endure who has God as his helper. He surmounts all difficulties and dangers, conquers all temptations and emerges triumphant with the reward of wealth, position and honour. He is the perfect example of Hebrew ability, business acumen and enterprise suitably rewarded. He begins life in Potiphar's house as a slave and soon is in charge of the household and the affairs of his master. He is put in prison and very soon he 'runs' the prison. Through his introduction to Pharaoh he is given a small opening and in a brief space he controls all Egypt. He can afford to requite his brothers according to their deserts or to be magnanimous. He reveals greatness of soul in his attitude towards them. Conscious that he has a divine mission and task, all they did merely helped to bring it to fruition. "Ye meant evil against me but God meant it for good to save much people alive." Family ties are strong in him and are revealed in his generous treatment of his brothers, in the love for Benjamin which he makes no effort to conceal, and in the care, affection and honour which he bestowed upon his father. His attainment to high rank enables Joseph to do for his brothers what he did do, but the only effect on Joseph of rank and station is to bring out more clearly his basic nobility of character. The whole story is a great character study, and it is remarkable how readily and how skilfully the characters are made to stand out in relief.

Perhaps an indication that the story was written having the instruction of children in mind, is the note that at the meal in Joseph's house, when Joseph ate by himself, his Egyptian staff by themselves, and the brothers by themselves, Joseph showed favour to his brothers by sending from his table delicacies for

their acceptance. It is recorded that he sent for the youthful Benjamin *five* times as much as to any of the others. One wonders how Benjamin contrived to eat it all, but there is no doubt that affection manifesting itself in this lavish manner would make a strong appeal to children. That is often the way in which the child would like love to be expressed !

And now for a story where the setting dominates. The story of the great flood is such a story. It is the flood that has character. It takes charge from the day that the fountains of the great deep were broken up and the windows of heaven were opened. Rain on the earth 40 days and nights, with the waters increasing and the ark and its precious contents borne up. The highest mountains covered, 15 cubits and upwards, and every living thing destroyed. Waters prevailing over the whole earth. Waters do not dry up rapidly even with a wind. So after the rains ceased the waters decreased for 150 days (5 months say). After another 75 days the ark rested on the mountains of Ararat. Yet another 75 days and the tops of the mountains were seen. Then after another 40 days the opening of the windows and the sending forth of the raven and the dove with intervals of 7 days, bringing the time of the assuaging of the waters to roughly 360 days, the Egyptian year of 12 months of 30 days. Noah, beyond the fact that he was a righteous man and perfect in his generations and walked with God, is absolutely colourless. It is God who does all the directing, gives instructions for the building of the ark, and for its passengers, Noah simply obeys. If he was to be saved at all, it was to be expected that he would be righteous, since the flood was for the destruction of the unrighteous. Noah only opens his mouth after his drunkenness, and it was to curse Canaan and put him into subjection to his uncles, Shem and Japhet.¹

Another story which comes quickly to mind, one in which the setting tends to dominate, is the Garden of Eden. It is the garden of God, eastward in Eden planted with every tree, pleasant to the sight and good for food, which holds the mind's eye. The man is put there to till it and to keep it. There is the river going

¹ The composite nature of the Flood story and some other Old Testament stories, is not our immediate concern.

forth to water the garden and parting into four heads. There are the precious trees, the Tree of the Knowledge of Good and Evil, and the Tree of Life, with their coveted fruits. The cool of the evening, with God walking in it. The man and woman hiding in the undergrowth amongst the trees ; their sewing aprons of fig leaves ; the cursing of the ground ; the return of the bodies to dust ; and the sword flashing in all directions to keep the way of the Tree of Life ; the interest in the garden itself. But not entirely so for Adam, Eve, and the serpent, although shadowy figures, are not entirely colourless. True, there is no great depth of intelligence, rather an understandable naïveté observable in our first parents, who had not developed the processes of thought sufficiently to be intelligent until they had eaten the forbidden fruit, and then knew enough to attempt deceit.

Another example of a story where the setting tends to dominate, although it is very doubtful whether it does so by intention, is the story of Ruth. Goethe described the story as "the loveliest little idyll that tradition has handed down to us". The setting is delightful. It is a tale of simple folks and village life, the fresh air of the Judaean slopes, the kindly villagers, the waving grain, the reaping and the gleaning, the harvesters at work and at meal time, the bundles and the sheaves, the good natured Boaz, the anxious but shrewd Naomi, receiving the gleaned corn at the end of the day, the harvest festival and all it meant to Ruth. Apart from her deep loyalty to Naomi and her immortal words, "Entreat me not to leave thee, and to return from following after thee : for whither thou goest, I will go, and where thou lodgest, I will lodge. Thy people shall be my people, and thy God my God ; where thou diest, I will die, and there will I be buried. The Lord do so to me, and more also, if aught but death part thee and me," there is not much we can lay hold on in the delineation of Ruth. In addition to her steadfastness she displays throughout a proper humility and a sense of obedience. But Naomi is clearly the stronger character of the two. It is she who dominates the situation. It is she who decides to return from Moab, who argues with her daughters-in-law that they should remain, who has her answer to the village folks when

they greet her return, who tells Ruth where to glean, and who plans that Boaz shall be induced to marry Ruth—a clever, scheming woman. Boaz is the kindly, goodnatured countryman, but one who, when he is stirred, will not rest till he see what he wants obtained. There is one little sidelight which is worth noting. Although he is a simple countryman he breaks into poetry when he addresses Ruth with the words, "A full reward be given thee of the God of Israel under whose wings thou art come to take refuge". Here was the spirit of poetry already at work in the great-grandfather of David. It is perhaps not accidental that he is here using a poetic metaphor which is found in some five places in the Psalms but apparently nowhere else in the Old Testament.

A story in which the setting gives it charm, although it does not dominate, is the reception by Abraham of three visitors, one of whom appears to have been the Lord, as he sat in his tent door by the oaks of Mamre. When Abraham sees them he runs to meet them and bows himself to the earth. He urges them not to pass by; water will be fetched to wash their feet, and food prepared. Sarah is bidden take 3 measures of fine meal and bake it into cakes. Abraham ran to the herd for a calf, tender and good, and gave it to a servant to kill and dress. He took butter, milk and the calf, and set it before them, and he stood by them under the tree. This is the introduction to the announcement to Sarah of the birth of a son to her in her old age. The two parts of the tale are distinct and, indeed, could have been independent of each other. The introduction does not suggest or require this particular *dénouement*, nor does the story of the announcement to Sarah and her laughter necessitate a preface of this kind, or indeed a preface at all.

We have observed that in addition to action, character and setting which form the basic elements of the story there is in the Old Testament another element, *motive*. Motive may be easily discernible or it may be concealed. Usually it so operates as to give an ethical character to the tale, but sometimes it controls the form of presentation of the story. A good example of the latter is the story of the first meeting of Samuel and Saul. The

motive of the narrator, which you can gather from the general presentation of the history of the period, is to make it quite clear that Saul was chosen, from the first, by the Lord himself, and that Samuel had neither art nor part in the selection. The significance of the manner in which the story is unfolded can only be appreciated if the motive is apprehended, since it provides the key. The stress laid on the pursuit of the runaway asses by Saul and his servant and their wanderings through the territories of Ephraim, Shalishah, Shaalim, and finally Zuph, is to show that at every twist and turn Saul and his servant could have gone in directions which would have made the meeting impossible. But unseen by man, although hinted at in this way to the reader, God was bringing Samuel and Saul together. Finally in their wanderings Saul and his servant came to the lands of Zuph to an unnamed town. The town is not named to show that Saul and his servant did not recognize it. They have, indeed, lost their way, and think of returning home. By the mention of Zuph, the reader, however, knows that they are in the home district of Elkanah, the father of Samuel, whose home was in Ramah, and that this is consequently that town. As Saul and his servant approached the town they heard from the people of the neighbourhood that there was a 'man of God', a 'seer', resident in the town, with a reputation. This seemed to Saul and his servant an opportunity to get information about the asses, and their own whereabouts. They even discuss offering him a present, a circumstance calculated to intrigue the reader, so little do they know that it is the great Samuel to whom they are coming. Samuel was known throughout all Israel as a 'prophet', and if the country folk to whom they talked had called Samuel the 'prophet' Saul would no doubt have recognized who it was. But they called him a 'seer'—and that to the minds of Saul and his servant merely conjured up a local wizard or seer. The reader, who is made aware of all this, is quietly amused at the situation. He follows Saul and his servant with interest to see what happens when they enter the town and encounter Samuel. Saul and his servant meet women going out to draw water as they approach the town, who tell them garrulously of their great fellow-townsman and his

movements and doings. This may have had the effect of opening the eyes of Saul and the servant to some extent at least. At the women's invitation they hurry on to meet Samuel. From him they gather that he was expecting them, as he had been informed by the Lord—but only the day before—whereas Saul and the servant have been wandering for three days. We need not go into the details of the meeting and its consequences. An interesting sidelight on the story tending to show that Saul knew it was the great Samuel and not a local seer is a short paragraph recording a conversation between Saul and his uncle. Saul, to his uncle's question, where had he gone, tells him that he had come to Samuel. The uncle is at once interested and excited. "Tell me, now, what did Samuel say unto thee?" He was anxious to know what concern such a great personage had with his nephew.

Modern critics, not discerning the motive underlying the story, have jumped to the conclusion that Saul and his servant came to an obscure town. The fact of its not having a name might be regarded, they imply, as an indication that the whole tale was legendary, where Saul and his servant consulted a local seer called Samuel, who was inspired by God to anoint Saul as King. This they regard as a different and contradictory representation of Samuel to that given elsewhere in the book, where Samuel appears as a great prophet and leader of the nation. In consequence the status and even the authenticity of Samuel have been called in question, and the resultant tendency has been to remove Samuel from the plane of history to that of legend.¹

We have already recorded our belief that the stories of the Old Testament were used for the purposes of instruction, more particularly of the young. An example in support of this contention is Abraham's intervention with God for Sodom. The analogue of this scene in daily life is the angry parent or teacher sternly resolved to punish, and a favoured child who intervenes on behalf of the offenders, and by wheedling and coaxing, wrings concessions. The reader, or hearer, of the story, if a child, can

¹ For a fuller treatment see the writer's article "Samuel and Saul" in the *Bulletin of the John Rylands Library*, XXVIII, 1944, pp. 175 ff.

appreciate the situation. Each fresh concession seems to call for an end to be put to this intervention. Each fresh demand involves the fresh danger of a sharp rebuff, and calls for an added intensity of pleading. The angry Lord in the first place concedes that he will spare the city if fifty righteous are found in it. Then Abraham gets the required number of righteous reduced from fifty to forty-five, then to forty, then by reductions of ten at a time to the number ten. The pleading varies. "I have taken it upon me to speak to the Lord, I who am but dust and ashes." "O let not the Lord be angry, and I will speak", "Behold now, I have taken it upon me to speak unto the Lord", "O let not the Lord be angry, and I will speak but this once". All this is thrilling danger to children, who naturally fear at every stage that the wrath of the Lord will burst forth against the luckless Abraham for presuming to interfere, and persisting in interfering with an enraged God in the just prosecution of his wrath. The anxious child could breathe a sigh of relief when Abraham desisted at the number ten, and the Lord went his way as soon as he had left off communing with Abraham.

Another story¹ obviously meant for a warning to children, is the story of the occasion when Elisha the prophet was going up to Bethel, and as he went up the children of the city mocked him, crying after him, "Go up, bald head ! Go up, bald head !" Elisha turned on them, and cursed them in the name of the Lord, with the sequel that two she-bears came out of a wood and tore forty-two of them ! That story bears its own grim message—an obvious warning to children not to mock at, or make fun of, a holy man even if he is of odd appearance.

Another point we made was that the Old Testament story is somehow related to God. God is either in the foreground or the background. If God is in the foreground, as He is in so many of the early narratives, His contact with man becomes for the reader a matter of thrilling interest. In the early chapters of Genesis and throughout the patriarchal narratives there is, in general, nothing terrifying in the contact of God and man. He, indeed, appears in human form and talks intimately and naturally

¹ 2 Kings 2 : 23-24.

with Abraham who, in consequence, was known to later generations as "the friend of God". There is an underlying implication, of course, that the men with whom the Lord deals directly, such as Abraham, Moses, Aaron, etc., are men of a rare order, men presumably whose physical bodies had in them something of the Divine, something akin to the spiritual essence of the Divine Being. But there are also accounts in the Old Testament where the paralysing horror of actual contact between the ordinary human body and the world of spirit is well brought out. The words put in the mouth of Eliphaz the Temanite, in the Book of Job,¹ vividly describe this feeling :

Now a thing was secretly brought to me,
And mine ear received a whisper thereof
In thoughts from the visions of the night
When deep sleep falleth on man,
Fear came upon me and shuddering,
Which made all my bones to shake.
Then a spirit passed before my face.
The hair of my flesh stood up.
It stood still. But I could not discern the appearance thereof.
A semblance was before mine eyes.
There was silence and I heard a voice say,
Shall mortal man be more just than God?

An eerie and uncanny experience is here described with great skill. To the Hebrews exposure of man's person to the searing effects of the divine glory, meant death to man. No ordinary man could see God and live. Moses, we are reminded, was put in the cleft of the rock and covered with God's hand till God passed and then he was permitted to see His back. The theophany experienced by Elijah was sufficiently terrifying. The precursors of God's presence were the mighty wind that could rend rocks, the great fire and the fearful earthquake. Then came the still small voice, the voice of God, and when Elijah perceived that God had come, he wrapped his face in his mantle and stood in the mouth of the cave for protection. The wrapping in the mantle was to ward off the blinding effects of God's glory, at which he dared not look. Saul's experience of the spirit world through the medium of the old woman of Endor was uncanny enough. The old woman calls up the

¹ Job 4: 12-17.

spirit of Samuel to speak dread words to Saul, and Saul was so overcome at the words, and no doubt at the appearance of Samuel, that he fell full length upon the earth, sore afraid.

Belshazzar's sacrilegious use, at a great feast, of the vessels which his father had taken from the Jerusalem Temple, was followed by an extraordinary happening which struck terror to the hearts of beholders. In the full blaze of the lamp light, the fingers only of a hand, nothing else, appeared and wrote warning words on the white plaster of the wall of the banquet hall. The king saw and was stricken with terror. This appearance from the spirit world in full light is an exception for the spirits prefer the darkness. The angel that wrestled with Jacob was in haste to be gone when dawn appeared. And darkness adds to the uncanniness. In the passage in the Book of Job we quoted, and in the visit of Saul to the witch of Endor, darkness plays an important rôle. There is, however, yet another scene where there is contact with the world of spirit, and where the setting is skilfully used to heighten the effect. This is the description of the covenant between God and Abram given in Genesis 15. The early form of the covenant in ancient Israel was for a victim to be cut in two and for the contracting parties to pass between the parts. Here Abram takes a heifer, a she-goat and a ram, each of three years old, together with a turtle dove and a young pigeon. The first three he divides each in two and laid the halves over against each other. The birds he did not divide. A touch of grim realism is introduced with the comment that the birds of prey came down on the carcasses, and Abram drove them away. The sun begins to go down and a deep sleep fell on Abram, a horror of great darkness, or better a darkling horror. Then when the sun went down and darkness settled, a furnace of smoke and a torch of flame passed between the pieces. This was the Lord enacting his part of the covenant ceremony.

Jacob dreamed of the ladder stretching from earth to heaven with angels ascending and descending and God standing above it.¹ When Jacob waked out of his sleep he said, "Surely the Lord is in this place, and I knew it not". And he was afraid

¹ Gen. 28 : 10 ff.

and said, " How dreadful is this place ! This is none other but the house of God, and this is the gate of heaven."

We have already observed that motive may at times control the presentation of a story and even its composition. This seems to be so in the relation of that other nocturnal experience of Jacob when he wrestled with a man till the breaking of the day. If there was ever an eerie experience surely it was this. It would lend itself so readily to vivid and dread-inspiring narration. But no ! It is told in a calm, matter-of-fact way as an incident hardly out of the ordinary. It does not seem so surprising, however, when one perceives what is the chief interest in the mind of the narrator. He is interested in explaining the origin of the name Israel as a 'wrestling with God and prevailing' given to Jacob. We would hardly know that Jacob's opponent was of the spirit world were it not for his haste to get away before the light came and the extraction of a blessing. The narrator, too, is interested in the origin of the name Peniel, and in the reason why the children of Israel do not eat the sciatic nerve " because he touched the hollow of Jacob's thigh in the sinew which shrank ". Thus an occasion and an opportunity for vivid description has been neglected to satisfy the prosaic ends of etymology and folklore.

There is a book in the Old Testament where a particular outlook and bias may have controlled its composition and have certainly influenced its admission to the Hebrew canon. It is the Book of Esther. Based no doubt on the tradition of the deliverance of the nation from a threatened destruction by the intervention of a woman, it has been elaborated into a tale of considerable power and interest. Its association, too, with the feast of Purim, has brought it into prominence. It is not the setting which dominates the story here. It is true that the magnificence of the seven days' feast in the court of the garden of the palace of Ahasuerus, the gorgeous hangings and the precious vessels are described in some detail. But, thereafter, the setting may be said to fade out and apart from the preparation of Esther by the royal attendants for her presentation to the king, only the gallows of Haman come prominently forward.

Ahasuerus (Xerxes) is a nebulous figure in the story. He is

a king, does the things expected of a king, and little more. Esther is not an heroic figure like Judith. When asked to plead for her people, she vacillates and points out the danger to herself in going unbidden into the presence of the king. She has to be driven to see where her duty lies by Mordecai. She has, however, the measure of Haman and, by playing on his vanity, she leads him on to his doom. The real hero and outstanding personality in the Book of Esther is Mordecai. Willing to take on responsibilities where he was not legally obliged, he brings up his cousin Esther after the death of her parents as his own child.¹ When Esther was chosen for royal favour because of her beauty, he walked every day before the court of the women's house anxious for her safety, but claimed no kinship with her. When she was promoted queen he continued to sit at the king's gate. He uncovers a plot against the king and the conspirators are put to death. It is this service, recalled for the king during a sleepless night, which proves to be the first step towards Haman's eclipse. He shows independence and courage in refusing to do reverence to Haman, the reason for this attitude is, however, not disclosed.² When Haman in revenge plots the destruction of the Jews, it is Mordecai who stirs up Esther against her fears and her will to use her influence with the king, and it is Mordecai who ultimately takes Haman's place.

The outstanding feature of the book is its strong nationalistic spirit. It breathes the air of Ezra and Nehemiah with their intolerance of mixed marriages, whereas the Book of Ruth, which glorifies the marriage between a Jew and a Moabitess, might be regarded as a counterblast to this extremism. Throughout the story of Esther there is a strong current of artificiality. Poetic justice makes a strong appeal to everyone, but its appearance in real life is generally rare. In the structure of the story in the Book of Esther, poetic justice may be almost said to run riot. Haman had the right to demand reverence from Mordecai, but eventually it is Haman who has to do reverence to Mordecai. Haman prepared a gallows for Mordecai. Instead he is hanged

¹ According to the Talmud she was Mordecai's wife.

² According to the Talmud Haman carried an idol, or was himself an idol, or had been originally a slave of Mordecai.

on it himself. Haman had a ring given him by the king when he was promoted to the chief place next to the king. The ring and the position went to Mordecai. Haman had a fine house and possessions, these went to Esther. Haman and those who plotted with him the destruction of the Jews perished. The Jews, throughout the far-flung Persian empire, instead of being massacred on the day appointed, massacred their adversaries. The turning of the tables in every case is perfect. In fact, it is too perfect. There are no loose ends where one would expect and would, under the circumstances, value loose ends. We know that often the wish is father to the thought. In the Book of Esther the wish is parent to a great many thoughts.

We have already stressed the parabolic use of the story in the Old Testament to convey a moral lesson. This seems notably so in the case of some stories which have apparently been expanded from their original form to provide such teaching. An instance of this is the well-known story of the visit of Naaman, the Syrian, to the prophet Elisha to be cured of his leprosy. The incident is complete, and the power of God to work marvels has been amply demonstrated when Naaman, cured, departs with his mules' loads of earth to worship the Lord in his homeland. But the moral lesson of the refusal of Elisha to take a reward for doing God's work needs emphasizing. The additional and almost independent incident of the cupidity of Gehazi serves to bring out the great contrast between the 'man of God' and the ordinary mortal. Gehazi, with none of the prophet's scruples about accepting reward, practises deceit in misrepresenting Elisha to Naaman, in fabricating an occasion for the reward, and in hiding everything, including Naaman's gift, from Elisha. But Elisha, being God's prophet, sees all and Gehazi is appropriately punished with the leprosy which Naaman had discarded.

There is another story of a similar nature in 1 Kings 13. The 'man of God,' who came from Judah to Bethel to prophesy against the altar beside which Jeroboam was standing, performed his task. When Jeroboam put forth his hand against him it was dried up. On the entreaty of the 'man of God', God heals it. The king invites him to partake of refreshment but he refuses, the word of the Lord being very definite that he should

eat no bread nor drink water in that place and that he should return by another way. In all this the prophet carefully obeys instructions. Now the incident seems closed. The prophet has fulfilled his task and is on his way home to Judah. Then quite suddenly with no discernible motive, a complication is introduced, and we proceed to embark on a new incident which serves as a rider to the first incident, and has an obvious moral lesson. An old prophet of Bethel goes after the returning Judah prophet, tells him that he, too, is a prophet, and that he has had a message through an angel to bid the Judah prophet turn back to eat and drink with him. The narrative says candidly that he lied to him. The Judah prophet is persuaded to turn back to meet eventually with a divine denunciation for his action, and a threat of a violent death. This is dramatically fulfilled by his being slain by a lion on his homeward journey. The lion is a regular instrument of divine vengeance in the Old Testament, and the vision conjured up by the description of the body of the prophet at the wayside, and the lion and the ass standing placidly by, is especially intriguing to children. But it conveyed also the salutary lesson that no one should ever be turned aside from the execution of God's commands by any form of persuasion whatsoever.

We have now given you some examples of Old Testament stories of different kinds, with different purposes, and retaining the interest and attention of the reader by different means. We are under no necessity in our survey to consider the sources to which the stories may belong. For our purpose J, E, D, P, R and their multiples, and such other *sigla* as literary criticism may from time to time devise, need have no existence. We find that in the main the literary technique of all exhibit certain common features which we have tried to point out. They all share in a literary art which makes Hebrew literature distinct from the literatures of the surrounding lands. Indeed it can be said that the only real literature in the early mid-Eastern world is the Hebrew literature. There is certainly nothing to compare with it in the literatures of Babylon, Egypt and the Hittites. Their literatures, where they are not legal documents or bald historical records, or equally bald lists of all sorts of

subjects and objects, show stilted and arid compositions. Hebrew literature springs from the fertile mind and artistic spirit of the Hebrew and his conception of the world order. Since God created the world, and it is to His will and His actions that the Hebrew looked for the explanation of all, there is no formulation of natural law to which to appeal. To him the rain comes down from above when God opens the sluices in the firmament. The thunder clouds which float in the sky and move quickly across the heavens are His chariot, whence issue the signs of His presence and power in the thunder and the lightning. There was no intellectual curiosity for the early Hebrew, challenging his beliefs and disturbing the calm of his spirit. When Joshua bids the sun stand still on Gibeon and the moon in the valley of Aijalon, and it is recorded that the sun stood still and the moon stayed, there is no protesting voice raised to say that this is contrary to the laws of nature and could not be so. Thunder and rain are sent in the middle of wheat harvest at Samuel's instigation and Gideon has the unnatural signs for which he asked, fulfilled. Nobody feels the necessity to question anything of this. God is supreme in His own creation, and God is a divine personality whose purpose—at times represented as almost capricious—can be expressed at will. It is fitting, then, that the marvellous should be associated with all God's doings and interventions in the natural world, and these we are continually reminded should be made known. As the angel in the Book of Tobit said : "It is good to keep close the secret of a king, but it is honourable to show forth the works of God". And this the Hebrew delighted to do. So the Old Testament stories, composed with such fine literary feeling and artistic skill, in which dim traditions are enshrined and much history embodied, but which one and all convey great religious truths and grave moral lessons—the last being, indeed, their main function—will continue to delight and to edify generations of readers in the future, as they have delighted and edified those who have lived with them and treasured them in the past.

SCOTT LETTERS DISCOVERED IN RUSSIA.

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I.

SOME time ago the young Soviet Russian scholar Dmitry Yakubovich, whose subsequent death was a sad loss to Russian scholarship, discovered three letters written by Sir Walter Scott which are treasured in public libraries of the U.S.S.R. The existence of these letters was unknown to Sir Herbert Grierson, and so they do not appear in his latest and fullest edition of Scott's own correspondence. Their text is given here, apparently for the first time in this country, from facsimiles of the originals, and not from Yakubovich's printed versions, published in the literary miscellany *Zvenya* (Moscow-Leningrad, Vol. III-IV, pp. 233-244), which are marred by several misreadings. If Scottish editors have been confused by Sir Walter's notoriously "indifferent" script, it is not surprising that Yakubovich stumbled over several words.

The longest and the most interesting of the three letters is addressed to Lord Bloomfield, British Minister in Stockholm. The original is preserved among the MSS. of the Saltykov-Shchedrin Public Library in Leningrad (former Imperial Public Library), in a case inscribed *Grande Bretagne : Hommes de lettres et savants*. It is labelled *Lettre du celebre romancier Walter Scott à Lord Bloomfield, Ministre d'Angleterre à Stockholm*, and is as follows :

My dear Lord

Before I reply to your kind letter which I received yesterday allow me the pleasure of congratulating your Lordship upon the step of honour which renders my address different from your Lordships signature. I hope you will long enjoy the reward the reward (*sic*) of your faithful services to the Crown and transmit the title to a flourishing posterity.

I do not know to what the report has been originally owing which procured me so flattering a mark of your Lordships remembrance for I certainly never had any intention of visiting Stockholm this year nor can I recollect having said anything upon which such a rumour could be founded. But the gentlemen of

the press dispose of us at their pleasure, and exile or put us to death at their arbitrary pleasure. Within this last six weeks they have put to death and recalled to life again the Bishop of Durham and half a dozen other dignitaries concluding with Hunt the associate of Thurtell the murtherer.

The only jaunt which I have in prospect at present is a trip to Dublin to visit my eldest son who is there with his regiment. He was married last winter and I wish to see how he & his wife carry on their menage. I have therefore no chance of profiting by your Lordships good offices at the Court of Sweden which you so kindly offer. But I will be extremely happy when any thing shall happen to bring me within a distance to profit by your Lordships kindness/and/¹ or your Lordship within reach of such hospitality as I have to offer. I have the honour to be

My dear Lord,
your Lordship's much obliged
humble servant
Walter Scott

Edinburgh
24 May 1825

Benjamin Bloomfield (1769-1846) had a distinguished military career which he began at the early age of thirteen. About 1806 he attracted the notice of the Prince of Wales, afterwards George IV, became later his Chief Equerry, and was M.P. for Plymouth from 1812 to 1818. In 1822 he was appointed Minister Plenipotentiary in Stockholm, and in 1825 was raised to the Irish peerage as Baron Bloomfield of Oakhampton and Redwood, Tipperary. After retiring from diplomatic service he commanded the garrison at Woolwich. While in Sweden he joined the Wesleyans ; and on the tenth anniversary of his death a tract, entitled *A Coronet laid at the feet of Jesus : as illustrated by the conversion of the late Lord Bloomfield*, was published in London by George Scott, Wesleyan minister, whom Lord Bloomfield came to know in Sweden. His son, Arthur Douglas, second Baron Bloomfield (1802-1879), was Secretary of the British Embassy in St. Petersburg and, later, Ambassador at the Russian Court (1844-1851). The second Lady Bloomfield wrote a Memoir of her father-in-law, consisting mainly of extracts from his diaries, and a book of her own, *Reminiscences of Court and Diplomatic Life*, which is of considerable interest.

Scott's letter was written apparently in reply to the suggestion to present him at the Court of Sweden which Bloomfield made

¹ Crossed out in the original.

when he heard rumour of his projected visit to that country. Neither in Scott's correspondence and diary, nor in Lockhart's *Life* is there any reference to this rumour, which Scott attributes to "the gentlemen of the press". Lord Bloomfield's letter is doubtless in the famous Scott Letter-Books in the National Library of Scotland that are not now accessible. In Mr. Wilfred Partington's extremely valuable "Record of Scott's Correspondents", appended to his *Sir Walter's Post-Bag* (Murray, 1932), Sir Benjamin Bloomfield figures as author of letters ranging over the period 1821-1827, and dated from Brighton and Stockholm. Incidentally, as revealing the wide range of Scott's remarkable correspondence, the Record shows that he had seven Russian contributors to his Letter-Books, including Denis Davydov the poet, who in the 1812 war anticipated the role of the guerrilla soldiers of the present time; Alexander Turgenev, who visited Scott at Abbotsford in 1828; Alexander Izmailov, the fabulist; and the poetess Anna Bunina, who wrote to Scott from Margate.

From an entry in Lord Bloomfield's Diary we see that just before exchanging letters with Scott he presented to his lady friends in Sweden medals of Sir Walter which had been sent to him. "They are all mad about him, and were delighted with my present", he adds.

A few days before Scott penned his answer to Lord Bloomfield the latter had left Stockholm on a tour of Sweden which took him far north. On completing it he sailed, on 27th June, for Russia. While Bloomfield visited St. Petersburg, Moscow, Nizhny-Novgorod and other places, Scott went on his visit to Dublin which he mentions in his letter.

II.

The second letter is very short but has interesting associations. It is a note addressed to Princess Galitzin (I retain the traditional spelling) whom Scott met in Paris during his visit there in 1826 with his daughter Anne. It runs :

Madame

I am extremely sorry that my daughter and I should have been so unfortunate as to be abroad when you did us the kindness and honour to call at our

hotel. I hope these few lines will serve as a specimen in how indifferent a hand I have written many thousand pages and at the same time to express my great respect for Mad^e, the Princess of Galitzin's

honoured & obliged humble servant
Walter Scott

Hotel Windsor
Rue Rivoli
5 Novembre

We intend ourselves the honour to wait on the Princess of Galitzin tomorrow evening.

An entry in Scott's diary three days earlier says : " A Russian Princess Galitzin, too, demands to see me, in the heroic vein ; ' *Elle vouloit traverser les mers pour aller voir S.[ir] W.[alter] S.[cott]* ', etc.—and offers me a rendezvous at my hotel. This is precious tom-foolery ; however, it is better than being neglected like a fallen skyrocket, which seemed like to be my fate last year . . ." (see Scott's *Journal*, 1927 ed., p. 294). The next day Scott notes that he " visited Princess Galitzin, and also Cooper, the American novelist " (*ibid.*, p. 295).

But the Russian lady who was fond of meeting celebrities and lionising, did not leave him alone, and on 5th November called on him again at his hotel. According to Scott's diary, he carried out his intention of visiting her the very same evening for under that date we find the following humorous entry : " In the evening to Princess Galitzin, where were a whole covey of Princesses of Russia arrayed in tartan, with music and singing to boot. . . . Cooper was there, so the Scotch and American lions took the field together. . . ." Scott admits, however, that he was more interested in the aged Madame de Boufflers than in any of the tartan-clad Russian princesses (*ibid.*, p. 299).

In commenting on Scott's note to Princess Galitzin Mr. Yakubovich wrongly identified the addressee as Princess Marie Arkadyevna Galitzin, *née* Suvorov, granddaughter of the famous fieldmarshal. Scott's correspondent was her mother-in-law, Princess Praskovya, *née* Shuvalov, daughter of Voltaire's friend and correspondent, and herself an author of stories in French. Suvorov's granddaughter was only twenty-four in 1826. It is most unlikely that she would have pursued Scott in the way his Parisian acquaintance did. But a conclusive proof of Yakubovich's error is to be found in the following passage from

"Small Family Memories" of Susan Fenimore Cooper, the novelist's daughter, printed in Vol. I of *Correspondence of James Fenimore-Cooper* (New Haven, Yale University Press, 1922) :

The Princess Galitzin was an elderly lady, very clever, a very kind friend of your grandfather and grandmother, and a great writer of notes, full of the "éloquence du billet", but in the most crabbed of handwritings. She had a married daughter, and a married son living in Paris at that time. Her daughter-in-law, the Princess Marie, was a charming young lady, sweet and gentle, though the daughter/mistake for 'granddaughter'—G.S./ of that rough old hero Marshal Suwarow, who when needing rest, *took off his spurs* on going to bed. Madame de Terzé, the Princess's daughter, gave a brilliant child's party, to which we four little sisters were invited (p. 66).

Cooper's daughter mentions also the "grand reception" given by Princess Galitzin to Scott, and, referring to his words about "Scotch and American lions", adds : "But of course Sir Walter was the lion-in-chief".

In Cooper's correspondence there are several notes from Princess Galitzin, and in one of Mrs. Cooper's letters to her sister in America, written during the same month of November, 1826, we find a following amusing reference to them : "He has so many notes from the Princess Galitzin, that I should be jealous, were it not that she is a grandmother" (*op. cit.*, p. 112). In one of her notes Princess Galitzin remarks : "The moment I see 'American novel by Cooper' my heart leaps". Later, in the 'thirties, the author of *Deerslayer* began to rival in popularity with his Russian readers the author of the *Waverley* novels, and both the great Russian poet Lermontov and the famous critic Belinsky voiced their preference for the American over the Scotsman.

An echo of his Parisian meeting with Princess Galitzin is to be found in Scott's later correspondence. On 12th September, 1827, Cooper wrote to him from St. Ouen-sur-Seine : "Our mutual acquaintance and your great admirer the Princess Galitzin has just gone to St. Petersburg. She had the sketch of your face, which Miss Scott thought so particularly like, engraved; and so you figure in another shape in the shop-windows of Paris" (*The Private Letter-Books of Sir Walter Scott*, ed. by W. Partington, Hodder & Stoughton, 1930, p. 304).

There is no record, on the other hand, in Scott's letters or

diary, of his meeting Suvorov's granddaughter, but they must have met at her mother-in-law's party. The younger Princess Galitzin was a woman of remarkable personality, and has a place of her own in the history of Anglo-Russian contacts : about 1840, while living near Geneva, she and two of her three daughters joined the Church of England, to the great annoyance of her husband and of Emperor Nicholas. The somewhat unusual story of this conversion and of the stir it caused in Russian society, is told in detail by William Palmer in his anonymous *Appeal to the Scottish Bishops and Clergy and generally to the Church of their Communion* (Edinburgh, 1849). Palmer was asked by Prince Galitzin to persuade his wife to return into the fold of the Russian Orthodox Church. For his own reasons, connected with his conception of the unity of the Church, he undertook this mission ; but all his attempts either to influence her or to obtain from Bishop Luscombe that she be not admitted to Anglican Communion failed, and she continued to attend the Anglican Church and to receive Communion there.

III.

The third Scott item merely concerns an appointment with Longman or Rees of the publishing house during his visit to London in 1826. But that even such a fragmentary relic should reach Russia and be so carefully preserved is corroborative evidence of Wordsworth's description of the *celèbre romancier* as "the whole world's darling".

What forms, however, the most interesting item in Scott's Russian "relations"—his correspondence with Denis Davydov, the "Black Captain", the famous Russian guerrilla leader of 1812, and his nephew, Vladimir Davydov (later Count Orlov-Davydov) who, as a student of the University of Edinburgh, was befriended by Scott and stayed on several occasions at Abbotsford (see numerous references to him in Scott's *Journal*)—has been only partially preserved. Several letters from Denis and Vladimir Davydov to Scott are to be found in the Walpole Bequest in the National Library of Scotland.¹ As to Scott's letters

¹ I propose to deal in another paper with this correspondence which has been kindly communicated to me by Mr. W. M. Parker, of Edinburgh.

to Vladimir Davydov, of which according to Alexander Turgenev there must have been several, they seem to have been lost. To Denis Davydov Scott apparently wrote one letter. V. Orlov, who published recently in the U.S.S.R. a thorough study of Davydov's literary heritage¹ asserts that no letters from Scott to Davydov have been preserved. This is, however, inexact. What appears to be a fragment of Scott's letter to Davydov, written on 17 April, 1827, in reply to Davydov's letter of 22 January, 1827, was published in 1885 in a life of Davydov which appeared in a now completely forgotten publication.² It was given there in mutilated English original accompanied by a very inaccurate translation from a French translation. Since it has never been published in this country and has been completely lost sight of in Russia, it seems to us worth reproducing it here. This is what the Scottish novelist wrote to his famous Russian contemporary whose portrait he kept in his study, and to whom, at his request, he sent his own portrait :

Sir,

It is no small honour for a retired individual like myself to be distinguished in such flattering terms by a person so much admired for the patriotic gallantry with which he served his country in the hour of extreme need and whose name will be read for ages in the proudest though most melancholy page of Russian history. You can hardly conceive how many hearts, and none with warmer devotion than his who now writes to you, were turned towards all [?] your bivouac of snow with hope and anxiety which nothing but that critical period could have inspired, or with what a burst of enthusiasm your final course of victory was hailed in this country.

Your extreme kindness promises me to expect pardon for a request which I am about to make and the compliancy with which I will hold an unspeakable favour. I am extremely desirous to know a little in detail the character of the partisan war conducted with so much adventure, spirit and indefatigable activity in the campaign of Moscow. I know that I would be most unreasonable in asking anything of that sort which could occupy your time or occasion you trouble, but a few sketches or anecdotes, however slight, from the hand of the Black Captain would be esteemed by me an inestimable favour.

It is very true that I have been able to procure a drawing of Captain Davydov which hangs above one of the things I hold most precious, namely a good round

¹ " Sud'ba literaturnogo nasledstva Denisa Davydova ", in *Literaturnoye Nasledstvo*, vol. 19-21, 1935, pp. 297-340.

² *Zhizneopisaniya Russkikh voennykh deyateley* (Biographies of Russian Military Leaders), ed. by Vs. Mamyshev, St. Petersburg, 1885.

sword which was handed down to me by my ancestors, and which in its day was not bloodless though we have been a peaceful race for three generations. The military spirit has revived in my son who is a captain of Hussars and reckoned a brave¹ officer.

It is possible that more Scott letters will some day come to light in Russia—including the one which he wrote from Abbotsford in August 1828, to Henry Mackenzie, the author of *The Man of Feeling*, to introduce Alexander Turgenev who kept it. The original may yet be found among the still partly unexplored riches of the Turgenev Archives in Russia.

¹ The printed text has here a senseless word: 'brave' is the nearest possible conjecture.—G. S.

THE GOVERNMENT OF ENGLAND DURING THE ABSENCE OF RICHARD I ON THE THIRD CRUSADE

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BISHOP STUBBS' preoccupation with the problem of Parliament in the thirteenth century led him to do less than justice to the problem of the council. This is especially true of the formative period at the end of the twelfth and the beginning of the thirteenth century. Very important steps were taken in the evolution of the council, during the reign of Richard I, which Stubbs, though a master of the period, largely ignored.¹ They were also connected with, and complemented by, an evolution of the *communitas regni*, an important prelude both to *Magna Carta* and to the development of Parliament in the thirteenth century.

The occasion for the first important development was the absence of Richard on the third Crusade. The precedents for the government of England during the king's absence are not clearly known. They may have pointed, not to government by council, but to the establishment of a justiciar exercising some, though not all, of the king's power, the substitution, that is, of one (delegate) ruler for another, a simple and

¹ Stubbs' account, in the Preface to Howden's *Chronica*, Vol. III, superseded that of Francis Palgrave, in the Introduction to Vol. I of the *Rotuli Curiae Regis* (1835), but, for once, Stubbs made no real advance on the work of his predecessor in certain very important respects. He was farther from realizing the true constitutional significance of the events he related than Palgrave himself had been. Perhaps even Professor Baldwin was precluded from appreciating their significance (in *The King's Council in the Middle Ages*), by too complete an identification of the council and the undifferentiated *Curia Regis*. A spirited though necessarily somewhat sketchy account has recently been given by Mr. J. E. A. Jolliffe in his *Constitutional History of Medieval England*, pp. 230-235. Mr. Jolliffe brings out clearly the importance of the two letters given by Richard at Messina to the Archbishop of Rouen, though he does not bring out equally clearly the significance of the changes which these letters were intended to make.

straightforward act.¹ The obvious substitute for Richard in 1189 or 1190, however, was his brother John, whom he mistrusted. Perhaps this fact prevented the King from appointing any one individual to replace him in his absence. On the other hand, there were not enough precedents, and there was not enough theory regarding a conciliar body exercising a joint responsibility in government, for a council of regency to be appointed. Consequently, a group of administrators were given a divided power, and the result was, inevitably, confusion and mistrust.

In examining these arrangements, the very first of them, in August 1189, made on the death of Henry II, when Richard was away from England, may perhaps be set aside. In it, the new King gave to his mother, Queen Eleanor, an exceptional power, "statuendi quae vellet in regno";² but this was probably intended to last only until Richard himself arrived in England; and it was not repeated, though Eleanor continued to represent the King in a very special, if indefinite manner, during his later absences abroad. The second arrangement, on the resignation of Ranulph Glanville in the following September, consisted of the appointment of William de Mandeville, Earl of Essex, and Hugh Puiset, Bishop of Durham, to be justiciars in his place,³ possibly in anticipation of the King's absence on the Crusade. Roger of Howden says that the King associated William Marshall and others with the two justiciars in *regimine regni*.⁴ What Roger means by this, it is difficult

¹ This is not quite borne out, however, by the arrangement made in the Peace of Ivry (1177) between Henry II and Louis VII, in which the two Kings agreed to go on a crusade. They were to leave their kingdoms in charge of *custodes et gubernatores*, though whether these are to act collectively or not, does not appear. The phrase does not suggest collective action. The treaty is given in Benedict of Peterborough, I, 191-194.

² Ralph Diceto (*Radulfi de Diceto Decani Lundoniensis Opera Historica*, ed. W. Stubbs (R.S.), 1876), II, 67: "datum siquidem est in mandatis regni principibus, et quasi sub edicto generali statutum, ut ad reginae nutum omnia disponerentur." An example of Eleanor's enactments is given in Benedict of Peterborough (*Gesta Regis Henrici Secundi Benedicti Abbatis*, ed. W. Stubbs (R.S.), 1867), II, 74-75.

³ Benedict of Peterborough, II, 87.

⁴ *Op. cit.*, III, 16. The names, in addition to William, were Geoffrey Fitz Peter, William Brewer, Robert Whitefield and Roger Fitz Rainfrai. I have accepted the evidence of Roger on this point, but it is not borne out by Benedict of Peterborough, and is obviously open to doubt. Roger may have been arguing back from a later period.

to say. Stubbs thought¹ that there was a "commission of the justiceship", though he doubted whether it was formally constituted. This is all the information we have about the second arrangement. All that Richard did, apparently, was to divide the old justiciarship between two ministers, loosely associating with them a number of other officials. It is remarkable that no magnates were included in this arrangement. One explanation of this fact is suggested below.

In what manner the King modified the arrangement on the death of the Earl of Essex, or on his actual crossing to France in the following December, it is equally difficult to decide. William Longchamp was substituted for the Earl: he and Hugh Puiset were now the *summi justitiarii*.² Benedict of Peterborough, however, thought that Hugh was *summum justitiarium* alone.³ William of Newburgh, on the contrary, thought that Richard had left the administration of the kingdom to Longchamp.⁴ There was disagreement, amongst the chroniclers at least, as to who were the "colleagues" of Hugh and William, and (possibly) as to what were their functions.⁵ These facts suggest

¹ Howden (*Chronica Magistri Rogeri de Houedene*, ed. W. Stubbs (R.S.), 1870), III, 16, n. 5. Palgrave, *op. cit.*, XLII, says that the duties of these colleagues "more fully stated" was to "dispense justice to every claimant observing therein the laws and lawful customs of England," but I have not found the evidence for this. Stubbs believes (Howden, 16, n. 5) that the colleagues were the principal judges of the curia and barons of the exchequer, and therefore naturally the counsellors of the Great Justiciar. This is probably true. But it had never been clearly stated before, so far as I am aware.

² Howden, III, 28.

³ *Op. cit.*, II, 101.

⁴ *Historia*, I, 306.

⁵ Benedict of Peterborough said that Longchamp, Hugh Bardolf and William Brewer were Hugh Puiset's 'colleagues in doing justice' (*Gesta*, II, 101). This perhaps points to a collaboration in administrative and judicial matters; business of a more general kind would be settled in conjunction with the magnates. In point of fact, as observed elsewhere, there is a good deal to connect Hugh Bardolf and William Brewer, along with Hugh Puiset, with the exchequer. Richard of Devizes thought that they were transferred to the exchequer (*Ricardus Divisiensis De Rebus Gestis Ricardi Primi*, in *The Chronicles of the Reigns of Stephen, Henry II, Richard I*, ed. R. Howlett (R.S.), 1886, III, 386). Again, also, there is some doubt as to who were 'justiciars'. Roger of Howden (*Chronica*, III, 16) thought, as noted above, that a number of others, including William Marshall, were associated with William Brewer. Stubbs (Preface, p. xxx) was not inclined to accept this. But there is ample evidence that William Marshall later had an exceptional position in the eyes of the King, even though he did not stay in

that there was still no clearly defined government by council when Richard actually left England. The title of justiciar did not give Longchamp or Hugh Puiset the precedence and power associated with the earlier justiciarship of Henry II; on the other hand, the association of others with them did not create a definite group of councillors with collective responsibilities and powers.

Finally, at a council in Normandy during the following March, the King made William Longchamp 'chief justiciar of England', with Hugh Puiset justiciar north of the Humber. This suggests that Richard had recognized the impracticability of his previous arrangement, and the dominant position which Longchamp would, under any title, derive from the custody of the royal seal. It suggests also, however, that Richard was still attempting to solve the problem of the government of England by dividing the responsibilities of his ministers rather than by bringing them together into a closely united group.

Longchamp had charge of the seal of absence. Professor Tout thought that this was the exchequer seal, though he left the question very open. The greatest objection to his conjecture is that Gervase of Canterbury called the seal a small seal,¹ whilst the exchequer seal was, on the contrary, a duplicate of the great seal. Another objection is the assertion of Hugh

England. All this points to a real indefiniteness in the situation, to a lack of anything more than an informal grouping of ministers in the Government. The formal precedence of Hugh Puiset, if it existed, was very unreal. As pointed out below, the fact that he had not got the care of the seal of absence robbed him of the reality of power. William of Newburgh, a shrewd observer, said that Richard left the administration of the kingdom to Longchamp (*Chronicles of Stephen*, I, 306). Richard of Devizes said that the King left the care of all his kingdom to his chancellor (*Chronicles of Stephen*, III, 388). This was a natural consequence of Longchamp's care of the great seal. Even before the council of Normandy, Hugh Puiset suspected that he had been made justiciar, not as one zealous for justice, but for the sake of his money (Benedict of Peterborough, II, 101). It seems likely that Hugh had been given a formal position, without any clearly defined functions and powers. Richard probably simply relied on the traditions of the justiciarship of Henry II. But these were not adequate against the reality of power that the chancellor possessed through the care of the great seal. This is what was recognized in the new relationships established at the council of Normandy.

¹ *Opera Historica*, I, 509. See below, p. 490, n.

of Nonant,¹ who said that Longchamp "regis sigillum super omnem terram gestabat". This does not sound like the seal of the exchequer, which had come into being because the exchequer needed a seal apart from that which itinerated with the King. It seems safer to regard the small seal which Richard gave to Longchamp as being distinct from the exchequer seal.²

How these seals were to be used is a matter of considerable importance. The small seal, according to Gervase in the passage quoted below, ought to have been used for the *negotia regni*. The exchequer seal would naturally be used, as in the past, for the business of the exchequer. We might have thought this covered the matters for which seals were required in the King's absence, were it not for the existence at this period of another type of business, for which there is a good deal of evidence, some of which is discussed below. This was the *negotia regis*, the usual complement of the business of the realm in the thirteenth century, apparently distinguished from the *negotia regni* as early as 1191. It might also be thought that there would be no place for *negotia regis* in the King's absence; but a passage in Gerald of Wales suggests that this was not the case. According to Gerald,³ Walter of Coutances, Longchamp's successor as 'chief justiciar', was so modest that he would not use his own seal *in regiis negotiis*, but used the seal of the exchequer. The phrase here used is not identical with the phrase *in negotiis regis*; but it is so close that it is reasonable to take it to mean the same thing. If so, Gerald seems fairly conclusive on two important points. Firstly, there was business 'of the king' in England, even in the King's absence, distinguished from the business 'of the realm'; secondly, this royal business was partly performed by

¹ In Benedict of Peterborough, II, 215.

² If this is true, however, there must have been still another small royal seal in existence—the small seal which was overseas with Richard. Gerald of Wales said of Longchamp that "adeo una cum regio mandato utroque sigillo, tam majore scilicet quam minore, munito contempsit" (*Opera*, ed. J. S. Brewer (R.S.), IV, 426). All this strongly reinforces Delisle's view that the small seal was established in England on Richard's accession, otherwise it could hardly have played such an important part in the events of 1190 and 1191.

³ *Op. Cit.*, IV, 408.

Walter's predecessor, that is, by Longchamp, under his own seal, and not under the King's seal at all. It looks as if Longchamp's colleagues were, or easily could be, excluded from this business 'of the king'; and that the Government in Richard's absence was based on a rough division of functions, not on the collective action of a council of which the Chancellor was only the head. In any case the evidence available seems to point to the existence, not of two, but of three, seals of government, during the King's absence in 1191.

Even more important is the suggestion of a distinction between the different types of governmental business, the importance of which, even as late as the reign of Edward I, has hardly yet been generally accepted.¹ If the distinction is no more than suggested by the evidence so far discussed, more evidence will be brought forward below. Meanwhile, it is worth pointing out that the distinction seems to provide the key to a full understanding of two important passages, well known to historians, but perhaps of greater significance and importance than has hitherto been thought. The first is the passage in Gervase of Canterbury,² already referred to more than once, to the effect that Richard left a small seal with Longchamp, by which the *negotia regni* ought to be sealed, but that the Chancellor, taking everything to himself, did everything under his own seal. Wherefore, having removed him from his office, the justiciars resumed the care of the seal. The full significance of this is apparent only if we remember that the *negotia regni* were, by the meaning of the terms themselves and by virtue of evidence set forth below, as well as by the tradition of the thirteenth century, matters of national concern in which others besides the Chancellor were involved. By dealing with them, as well as the *negotia regis*, under his own seal and not under the small seal, Longchamp was excluding his colleagues and the magnates from any share in the government.

The second passage is the letter from Prince John and from Walter of Coutances to the prior and convent of Christchurch,

¹ See my *Studies*, pp. 24-54.

² It is in the *Opera Historica*, I, 509, and is given by Tout in *Chapters*, I, 148.

Canterbury,¹ to which Professor Tout made reference when he said,² "the first result of Longchamp's fall in 1191 was an order from the regents that letters should be authenticated by the royal seal only". John and Walter actually stated that it had been decreed by common deliberation of the loyal subjects of the King that the *negotia regni* should be disposed of *communiter* and by mandates under the King's seal. The real significance of this lies in the reference to the business of the realm. It strongly confirms the interpretation offered above of Gervase of Canterbury's reference to the small seal left by Richard in the hands of Longchamp. This seal was to have been used for the *negotia regni*. Longchamp had not used it for such matters. Accordingly, it was taken from him. It is clear, taking these two passages together, that the regents in 1191 were not concerned with all the King's letters, but only with those directing the business of the realm. It is probable that they made a real distinction between this and other kinds of governmental business. And it is clear that they did not think such business affecting the realm should be done by the Chancellor, or his successor, alone.

In spite of this additional knowledge about the principles of government in 1190, the position of Longchamp's "socii et coadjutores",³ immediately after Richard's departure, remains obscure. Richard of Devizes thought that they had been put in the exchequer.⁴ Hugh of Nonant said that the King had added *comites* to him, so that at least the greater matters of the realm (*majora regni*) should be ordered by common counsel.⁵ According to the evidence noticed above, the *majora regni* would be the business disposed of under the small seal; and this again suggests that the *socii* had been associated with Longchamp particularly in the use of this instrument; for, it will be remembered, Gervase of Canterbury records how they *resumed* the seal when it was taken from the Chancellor. However, there can be no doubt that Richard had intended Longchamp and the other *justicarii* to work together. They were, Benedict

¹ Quoted, p. 499, n. 2, below.

² *Chapters*, I, 148.

³ Gerald of Wales, IV, 400.

⁴ *Chronicles of Stephen*, III, 386.

⁵ Howden, III, 143: *communi consilio*.

of Peterborough says, his *socii*, whom the King had associated with him in the rule of the kingdom.¹ It is almost word for word how Roger of Howden described the earlier association of the justiciars with Hugh Puiset and the Earl of Essex. There can be little doubt that this was intended to be a full participation in the *negotia regni*, though not in the *negotia regis*.² But Richard failed to make the terms of this association sufficiently clear and imperative, and there were probably no clear precedents to act as a guide. In spite of associating them in the Government, he had divided their functions too much for them to work together effectively as a group.

The situation was further clarified by a letter which Richard wrote from Bayonne on June 6, 1191,³ telling his subjects to obey Longchamp without question, "super omnibus quae ad nos spectant". The subjects were further enjoined "pro ipso faciatis sicut pro nobismet ipsis faceretis, de omnibus hiis quae vobis ex parte nostra dixerit". This letter was noted by Stubbs⁴ who thought that it conferred on the chancellor 'full powers'. But perhaps in this he went too far, in spite of the comprehensive language of the letter. It seems probable that Richard's orders are only to be properly understood in the light of the distinction already discussed between business of the realm and of the King. There seems to be a good case for equating *omnia quae ad nos spectant* with the latter. There are two reasons for this, besides the similarity of the terms. In the first place, we have already seen reason to believe that Longchamp was dealing with this business under his own seal; all that Richard did in his letter from Bayonne therefore, was to give a final authorization for an intelligible administrative arrangement; he did not hand over the whole kingdom to the unlimited power of one man. The power he did confer on Longchamp was imposing enough as it was, but it was not completely at variance with the traditions of the State. In the second place, Richard made it clear, in the letter which he subsequently sent to the Archbishop of York, quoted below, that he had not handed the *majora negotia regni*

¹ Benedict of Peterborough, II, 213.

² Howden, III, 161; Benedict of Peterborough, II, 213.

³ Ralph Diceto, II, 83.

⁴ C.H., I, 536, n. 5.

to the chancellor alone. It is quite evident that the letter of June 6 made Longchamp the mouthpiece of the King to the nation at large. When he spoke in the King's name he was to be obeyed. He was to use his own seal to dispose, if he wished, of matters which did not demand discussion with his colleagues or with the barons. But all this did not give him 'full' powers in the State. Longchamp exaggerated the powers he had, in fact, received; but this does not mean that Richard had not left certain fairly well-defined checks upon them, based on the deepest traditions of monarchical rule.

The contribution of the magnates, in particular, far from being excluded by the powers conferred upon Longchamp, was probably an essential and unquestioned factor in the scheme Richard devised. There is clear evidence of this in the letter to the Archbishop of York¹ mentioned above. The Archbishop was to be present "in majoribus regni negotiis cum justiciariis suis et his quibus rerum gerendarum cura principaliter commissa fuerat". Who these people were, to whom had been entrusted, along with the justiciars, the care of the greater matters of the realm, we do not know; but since the Archbishop was to be one of them, they probably included magnates. The magnates had already a very strong claim, even when the King was not absent, to be consulted about the most important matters of State. It is hard to believe that Richard deliberately broke with this tradition in arranging for his projected absence overseas. It is true that William of Newburgh complained that the settlement was made *minus solemniter*, with an obscure man at the helm, administering the kingdom *absque consilio et voluntate optimatum*;² but this strengthens rather than weakens the deductions made above from the letter to the Archbishop. William complained at even the administration—*administratio*—of the kingdom being given to the Chancellor. What he would have said if the whole government—*gubernatio*—of the realm had been handed over, to the exclusion of all others, it

¹ Giraldus Cambrensis, IV, 382.

² *Op. cit.*, I, 306. Richard of Devizes thought that Longchamp had the 'care' of the kingdom; *De Rebus Gestis Ricardi Primi*, in *The Chronicle of Stephen*, III, 388. His phrase was "totius regni cura cancellario delegata".

is not easy to conceive. The final situation, after Richard's letter of June 6, seems to have been that Longchamp could dispose of all the *negotia regis* under his own seal, but that the *negotia regni* had to be dealt with under the small seal, in consultation and co-operation with his colleagues and with the magnates of the realm.

Richard had made ample provision for consultation and co-operation. Unfortunately his whole scheme was lacking in balance and in definition. Longchamp, acting alone, had far too little power to control the dangerous situation at home, even though Richard gave him nearly as much as, under the circumstances, he could; on the other hand, the chancellor had far too much power for him to co-operate easily, either with his colleagues on the one hand, or with the *universitas* on the other. In the crisis which followed (whoever was to blame for this) Richard had to define his system of government in England afresh. He had to move an important step towards the idea of a clearly defined conciliar body, with collective responsibility and power, such as emerged during and after the minority of Henry III. He had also to make use of the *universitas regni* in a way in which this body had never, so far as we know at present, been used before, paving the way for the self-conscious, articulate and politically active *universitas regni* of the thirteenth century.

II.

The evidence for this reorganization of government lies in a series of letters given by Richard at Messina to the Archbishop of Rouen.¹ These did not, as Stubbs thought, 'discard' the

¹ These were printed by Ralph Diceto (II, 90, 91) and Giraldus Cambrensis (IV, 400-401). Stubbs' comments appear in Howden, III, lx, 96; Benedict of Peterborough, II, 157-158. Richard of Devizes mentions other letters (*The Chronicle of Stephen*, III, 405), all stressing the fact that "cancellario parendum ab omnibus". Perhaps these were intended to make it clear that the King had no intention whatever of simply 'superseding' the Chancellor by his new arrangement. The significance of the letters, some of which he quotes, is given with absolute clarity by Roger of Howden, III, 140. It is almost identical with what is suggested above, from a consideration of the letters themselves.

Chancellor in England.¹ One of them, dated February 23, associated the Archbishop with Longchamp in the 'council';² the other dated February 9, to be discussed at length below, directed William Marshall and other barons to look to the Archbishop for directions as one who knew the secrets of the King's heart.³ It is necessary to distinguish clearly between

The first of these (Feb. 9) is printed below. The second is also worth reproducing at length :

"Ricardus Rex Anglorum Willelmo cancellario suo, Gaufrido Filio Petri, Willelmo Marescallo, et Hugoni Bardulfi, et Willelmo Briwerre apparibus. Sciatis quod quia nos diligimus venerabilem patrem nostrum Walterum Rothomagensem archiepiscopum, et de eo ad plenum confidimus, eum de peregrinatione sua, de consilio et assensu summi pontificis, propter consilium et defensionem regni nostri ad vos transmittimus, quoniam constat apud nos, ipsum esse ad hoc ydoneum, et quia eum virum esse cognovimus prudentem et discretum, et nobis semper fidelem : unde vobis mandamus et firmiter praecipimus, quatinus in procurandis negotiis nostris ejus consilio operemini ; volentes et praecipientes quod quamdiu ipse erit in Anglia, et nos in peregrinatione Dei erimus, ipse pariter in omnibus cum consilio vestro, et vos cum suo. Vobis etiam mandamus quod ea quae sibi vobis de archiepiscopatu Cantuariae exponenda commisimus faciat, sicut ipse vobis ex parte nostra proponet. Teste meipso. XXIIItio die Februarii apud Messanam." It is from Ralph Diceto, II, 90.

¹ Howden, III, lx.

² Both Stubbs and Powicke (C.H., VI, 210) gave Walter only a waiting brief, "to watch affairs and, if necessary, to act".

³ Palgrave (*op. cit.*, p. li) discussed these letters rather briefly, considering their importance, largely because he was not interested, at that point, in the problem of the council, great or small. He simply notes that the first, in order of time, empowered William Marshall and the other colleagues to administer the affairs of the kingdom if Longchamp shall not act faithfully according to their advice and the advice of others of the council. The second, he notes, adds Walter of Coutances to the board of Justiciars. He did not realize that the two letters were concerned with different councils and different business; that William Marshall was being directed how to act in the *negotia regni* together with the barons; whilst the letter to Longchamp and his colleagues was only concerned with the 'privy' council. The two letters were not dependent on each other; they dealt with different aspects of the same problem. That to Longchamp was intended to see that Walter of Coutances became part of a new and more definite council; that to William Marshall was intended to see that the barons treated with this reformed council about the *negotia regni*. It is true that, as Palgrave pointed out (p. lxiii), we shall never be entirely certain that the letters "really expressed King Richard's intentions and pleasures". But there can be no doubt whatever of the existence of, at least, one of them. It was recorded both by Gerald of Wales and by Ralph Diceto. Even if it was a forgery, much of its significance remains.

these two letters. They served different purposes and were addressed to different people. That of February 23 was perhaps the first in logic though not in time. It was addressed, not, like the order of February 9, to the magnates, but to the *justitiarii*. It was concerned, not with the *negotia regni*, but with *negotia nostra*. It was almost certainly intended to modify the instructions Richard had sent from Bayonne on June 6, giving Longchamp power to order all things *quae ad nos spectant*. Now, the justiciars and the Archbishop are firmly associated with the Chancellor *in procurandis negotiis nostris*. They are to do all things relating to the King's business *ipse pariter in omnibus cum consilio vestro, et vos cum suo*. This is not yet, perhaps, government by council ; possibly the concept was still beyond the reach of that generation. But it is a clear approximation towards this, and probably a clear advance beyond the loose association of ministers, with Longchamp as the sole vehicle of the King's wishes, which Richard had set up on his first departure overseas. Even this 'council', it should be noticed, however, was not entrusted with the complete government of England ; it was not given charge of the *negotia regni*, which involved also the magnates, and which was dealt with in the complementary letter of February 9. It is clear that the same deep distinction is evident here, between the two aspects of government, as that which has been noticed above ; it seems to provide the key to these new arrangements, as it did to those when Richard first left England.

Perhaps a further word should be said on this distinction. What exactly it amounted to, in 1190 and 1191, is not apparent. If we have been correct in equating *negotia regis* with *omnia quae ad nos spectant*, and in believing that Longchamp could deal with them under his own seal, they would seem to have been those matters which related to the King's person rather than to his office. On the one hand it must be remembered, however, that this latter distinction itself was wholly foreign to the age of Richard I ; on the other, there is ample evidence, at least from the thirteenth century, that the *negotia regis* included many important aspects of government, such as, for instance, foreign affairs. Possibly, at this early period, they meant simply the personal views and wishes of the King.

The *negotia regni* can be more easily defined as those acts of government which clearly and directly affected the community ; they were the business of the *respublica*, of the state. How far these distinctions were clearly appreciated at this period it is not easy to say. On the one hand they may go back at least as far as the Treaty of Westminster in 1153 ; on the other, the first clear indication of their nature may not occur until the minority of Henry III. It looks as if, in 1190 and 1191, there was not yet a universally accepted phraseology with which to describe them. All that we can say is that the beginnings of the distinctions, at least, are apparent, and that these are of very great importance in the history of the period as well as in that of the later constitution.

Despite this lack of clear definition, the main lines of the reorganization carried out by Richard from Messina were adequately grasped by contemporary writers, even if they did not, and perhaps could not, express themselves in consistent terms. William of Newburgh, for example, stressed the indissoluble partnership proposed between Walter and William Longchamp. The King, he said, added the former to William as his 'consort and colleague', in all the highest matters of administration, saying that nothing should be done in this without the equal participation of Walter.¹ Roger of Howden described how Richard commanded Longchamp to have the justiciars as *socii et testes* in all acts of government—*in omnibus agendis regni*.

The chroniclers tended to lump the letters of February 9 and February 23 together, and obscure the distinctions which

¹ *Historia, in Chronicles of Stephen, etc., I, 336*: "eum regii auctoritate rescripti cancellario per omnia in administranda rerum summa consortem et collegam adjungens : ac ne quid in eadem administratione eo non pariter disponente fieret, districte praecipiens". Roger of Howden described all the 'colleagues', along with the Archbishop of Rouen and William Marshall, as the *socios et testes* of Longchamp; *Chronica, III, 96*. Richard of Devizes said that the King ordered the Chancellor to use the counsels of the Archbishop in the actions of the Government—*in agendis regni*; *Chronicles of Stephen, etc., III, 404*. Benedict of Peterborough said that Walter of Coutances, William Marshall and Geoffrey Fitz Peter were to be 'associated with' the Chancellor *in regimine regni*; *Gesta, II, 158*.

lay behind the reorganization ; but they all agree that the King now insisted on united action by the justiciars at home.

It seems likely that such 'conciliar' government is exactly what the Archbishop of Rouen proposed to William of Longchamp on his first return to England, and what William refused.¹ In the assembly at the Bridge of Loddon, described by Gerald of Wales, Walter read out transcripts of the King's letters to him,² "varia literarum transcripta, quas a rege reportavit, et quarum testimonio ad regni regimen remissus est . . . in publica audientia legi fecit". It is very hard not to conclude that one of the letters was that of February 23 from Messina. This did not quite promote Walter *ad regni regimen* ; but it went some way towards so doing ; and Longchamp's disregard of its injunction gave an important justification for the organization of opposition to him at the Loddon. It is quite clear from Gerald's description of the proceedings after the letters had been produced, that the question of effective government by council was the most urgent one which confronted the gathering. Walter told how, after his arrival, the Chancellor had never utilized his council.³ The justiciars added their testimony to the same effect. They had, indeed, been entitled to consultation from the time of Richard's departure : they had been given as "socios et coadjutores a principio" ;⁴ but it seems clear that the offence of not consulting them had been aggravated by the King's letters given to Walter of Coutances.⁵ The sole offence charged against William at this assembly, and for which the assembly determined that he should be deposed from his justiciarship, was that he had refused the counsel of Walter and the other justiciars, especially

¹ On this point see p. 504, below. ² Giraldus Cambrensis, IV, 399.

³ *Ibid.*, 400 : "postquam in regnum advenit, nunquam cancellarius ejus consilium in aliquo vel expetit vel expectavit." Walter does not say that William had seen the King's orders and rejected them ; but this seems to be implied by his statements. ⁴ *Ibid.*

⁵ This explains the conduct of the justiciars, which Stubbs clearly found very puzzling (Preface to Howden, III, lxxii). Their relationship to Longchamp had been put in a new light by Richard's letters. William's refusal to accept the proposal of the letters left the justiciars no alternative but support of Walter of Coutances unless, like William, they chose to defy the clear directions of the King.

in the matter of the election to the Archbishop of Canterbury.¹ This reference to the Canterbury election links the discussion at the Loddon very directly with the letter of February 23, for Richard had, in this letter, specially directed the justiciars to carry out the instructions which Walter of Coutances had received from the King regarding the election.

A more clearly formulated government by council seems also to have been what was 'decreed', *communi deliberatione fidelium domini regis*, after Longchamp's dismissal. This was stated in a letter quoted by Gervase of Canterbury, which seems to have been largely overlooked.² Acts under the King's seal, were, it was said in this letter, in future to be authorized *communiter*. Unfortunately, John and Walter do not say to which royal seal they refer; but it seems probable that it was the small seal already discussed. As Gervase himself says, quoted above, the King had left a small seal for the *regni negotia*, but the Chancellor had done all things with his seal. Now the *justitiarii* resumed the seal of the King.³ We have to guess also what was the exact meaning of *communiter*. Some indication of this is given by the fact that both John and the

¹ Stubbs (Pref., p. lxxv) adds "complaints of a less general character", and this was very likely the case. But it is not clear that the tale of wrongs of Hugh of Durham and his son Henry (Benedict of Peterborough, II, 212) was put forward at this assembly as a reason for the deposition of William; still less is it clear that Henry de Vere made any actual charges against him (Ralph Diceto, II, 98). The reference to the refusal of Longchamp to take counsel in the matter of the election to Canterbury is, as pointed out above, particularly important. By this, his offence in refusing the advice of the *justitiarii* was related directly to the period after the new council had been ordered.

² *Opera Historica*, I, 509. This, too, is worth giving in full. "Johannes Comes Moretonii, et Walterus Dei Gratia Rothomagensis archiepiscopus, delectis in Christo amicis priori et conventui ecclesiae Christi Cantuariae salutem. Propter praeteritas quas audistis contentiones communi deliberatione fidelium domini regis statutum est, ut sub sigillo domini regis de negotiis regni mandata regia fiant communiter et discurrant: unde vobis mandamus quatinus litteris ad vos sub eodem sigillo directis fidem indubitatem habeatis, et quod in eis continebitur dilatatione recisa efficaciter impleatis."

³ *Ibid.* "Demiserat enim rex in Anglia sigillum parvum regia tamen maiestate signatum, quo regni negotia debuerant insigniri. Sed cancellarius omnia sibi ascribens suo sigillo fecit universa. Quo sicut supra dictum est a praefectura amoto, sigillum regium justitiarii resumpserunt." This is discussed above, p. 490.

Archbishop wrote the letter ; the business to be settled *communiter* was *negotia regni* ; and the agreement so to dispose of it was made *communi deliberatione fidelium*. All this makes us associate the letter with the King's order of February 9, regulating the *negotia regni*, rather than with that of February 23. Thus *communiter* implies probably the agreement of the *communitas regni*. But it is almost certain that this agreement was intended to be between the *communitas* on the one hand and the whole group of *justitiarii* on the other. This is made quite clear by the resumption of the small seal by the latter, and by the terms of the letter of February 9. Thus the brief missive of John and Walter may fairly be taken as declaring the principle of common action which was to govern all the actions of the new government set up by Richard I. In this sense, it applies equally to the letter of February 9 and that of February 23.¹

This type of government was, finally, that which was in fact constituted when the movement against Longchamp had succeeded. It was a conjoint government by Walter of Coutances and the other 'justiciars', the type of government which Longchamp had refused to accept. This, combined with the new activity of the *communitas*, is what made it possible for John to be recognized as "summus rector regni",² without fulfilling Longchamp's foreboding that, as he told his enemies, "quantum in vobis est, comiti jam dedistis quicquid regis erat in regno".³ It is true that the Archbishop was made "justiciarius regni et supremus super negotia",⁴ and that to him, as William of Newburgh said, "rerum erat principaliter summa commissa" ;⁵

¹ Perhaps a serious defect in Richard's settlement was that he failed to command Longchamp in set terms to share the *negotia regni* with the justiciars, though he said, in his letter of February 9, that the latter had been associated with the Chancellor in treating about the *negotia regni*. This would help to explain why Longchamp could refuse to give up the small seal, and to account for the extraordinary language of the Pope, addressed to the representatives of Walter and the justiciars, and recorded by Benedict of Peterborough, *Gesta*, II, 242. It must be remembered, however, that a number of important letters have quite certainly not been preserved.

² Richard of Devizes, III, 415.

³ *Ibid.*

⁴ *Ibid.*, p. 421. According to William of Newburgh he was given the "regni administrationem" (*Chronicles of Stephen*, I, 344). This was done, William says, "decreto communi".

⁵ *Ibid.*

but his position was described explicitly by Roger Howden in the most significant terms:¹ it was to the effect that the Archbishop "nihil operari voluit in regimine regni, nisi per voluntatem et consensum sociorum suorum assignatorum, et per consilium baronum scaccarii".² Gerald of Wales says exactly the same thing.³ And it is very significant in this connection that, as described above, he refused to use his own seal for the business of the King, and that the small seal for *negotia regni* was held by Benedict of Sansetun.

The "alii justiciarri" did indeed constantly figure with the Archbishop, in the conduct of the King's government in ensuing months.⁴ If there was not formally and explicitly a government by council, there was the nearest approach to this

¹ *Chronica*, III, 141.

² One reason why the Archbishop did not dominate the kingdom in the same way as Longchamp had done, was the fact that he did not keep the small seal of absence. It was in the hands of Benedict of Sansetun; Howden, III, 154, and *ibid.*, n. 1.

³ *Op. cit.*, IV, 408: "nihil omnino de regni negotiis absque fidelium domini regis, qui ei adjuncti fuerant, consiliis agere volebat".

⁴ Howden, III, 141 (granting the commune of London); Benedict of Peterborough, II, 237 (forbidding John to go to France); Ralph Diceto, II, 100 (election of the abbot of Westminster). Walter and the justiciars seized Longchamp's property in 1191 (Howden, III, 155). When Longchamp returned to England in 1192, he appealed to the Queen-mother, to John, to Walter of Coutances and to the other justiciars (Benedict, *op. cit.*, p. 239). The justiciars, along with Walter, bribed John in 1192 (*ibid.*). The justiciars wrote, along with Walter and bishops, against Longchamp, to the Pope (*ibid.*, p. 242). They sent the Bishop of Durham to Normandy in the same year, acting as they frequently did at this time, with Eleanor, John and Walter (*ibid.*, p. 247), and they ordered, along with Walter, and by letter under the King's seal, that the Archbishop of York should restore the revenues of the Bishop of Durham's clerks (*ibid.*, p. 248). The *justiciarii* were active in the election of Hubert Walter to Canterbury (Ralph Diceto, II, 108). Walter and the other justiciars sent two abbots to seek out their captive King (Howden, III, 198). Whilst Richard was in captivity, John demanded the kingdom from Walter *et caeteris justiciariis* (*ibid.*, III, 204); the *justiciarii* organized the subsequent opposition to him (*ibid.*, p. 205); and Walter and the justiciars made a truce with John until November (*ibid.*, pp. 207-208). Richard in captivity wrote to Eleanor and to the justiciars and all his subjects (*ibid.*, p. 208). Eleanor and the justiciars received the Bishop of Ely (Longchamp) whom he sent (*ibid.*, III, 212), and they were regarded as levying the sums for the King's ransom (*ibid.*, III, 225). When Richard sent for Walter of Coutances to be a hostage, he made Hubert Walter *summus justiciarius*, i.e., head of the council (*ibid.*, p. 226).

that England had ever known. There is no doubt whatever that the justiciars formed a collective unity, though not called a council. Richard suggested their collective responsibility in his letter of April 19, 1193, directing the collection of his ransom—"et vos justitiarii nostri, qui aliis in regno nostro praeestis".¹ If a council of regency definitely operated shortly after this, in the period of Henry III's minority, much credit for this must be given not only to the astonishing evolution of the idea of councils at this period, in national and municipal affairs, but also to the concrete and important experiences of the Government during Richard's crusade, when it is likely that the decisive steps from the idea of a *rector regni* or justiciar replacing the monarch, or a number of justiciars sharing the royal power, to the idea of a group with collective responsibility, really acting in common, were made. It should be noted that the council is not the ordinary King's council; it is a council of regency whose functions were necessarily very different from those of the group of advisers in attendance on the King. But it is surely not without significance that the councillors were a body of ministers, not of magnates, similar to the *domestici* whom Henry III, according to Roger of Wendover, was going to have as his advisers in 1223.

III.

Closely connected with the idea of government by a council of regency was that of government with the co-operation of the *magnum concilium*. The actions of this body, or at least of the assembled *communitas regni*, during this crisis, were probably not as Stubbs thought, unconstitutional and of little significance for the future.² On the contrary, it seems likely, they had the support of Richard; they were, like the idea of conciliar rule, a reply to the needs of the time; and they contributed to the articulate and politically active *communitas* of the reign of John.

¹ Roger of Howden, III, 209.

² Preface to Howden, III, lxxxiii; C.H., I, 539. Professor Powicke did not entirely agree with this. In the C.M.H. (VI, 211) he regarded the events which followed the Chancellor's flight as revealing the Great Council acting alone for the first time in English political history. He had not space, however, to elaborate this most important and suggestive statement.

The *communitas* was brought into the centre of the complicated events of this period, in a manner never yet brought out, by the communication from Richard at Messina, referred to above, dated February 9 and addressed to William Marshall and the barons.¹ This letter was apparently associated with, though dated earlier than, the letter directed to William Longchamp and his colleagues (February 23), already discussed. It was addressed, not to Longchamp or his colleagues, but to the barons of England²—to William Marshall *et aliis baronibus*.

¹ Ralph Diceto, II, 91, n. 1; Giraldus Cambrensis, IV, 400. The differences between these two copies of this important letter are worth putting on record. Below is set forth the copy given in MSS. B and D of the *Ymagines* of Ralph, with variations in Giraldus: “ Ricardus rex Anglorum^a Willelmo Marescallo caro et fideli suo^b et aliis baronibus in eadem forma^c salutem. Mittimus ad te venerabilem patrem nostrum Walterum Rothomagensem archiepiscopum, virum prudentem et descretum, de cuius fidelitate et prudentia firmiter^d confidimus, ut ipsius consilio adquiescas et cancellarii nostri, et Hugo Bardulfi et Galfridus filius Petri et Willelmus Briwerre, quibus negotia regni nostri commisimus tractanda, et^f absque praedicti archiepiscopi consilio^g nihil facere praesumas. Et si forte cancellarius noster negotia regni^h juxta consilium praedicti archiepiscopi et tuum et aliorum praedictorum quibus curam regni nostri commisimusⁱ non tractaverit, praecipimus ut, secundum praedicti archiepiscopi dispositionem, tu et praenominati socii tui de omnibus agendis regni nostri tam de castellis quam de eschaetis absque omni occasione faciat. Nos enim ei cor nostrum aperiuimus et secreta nostra ei commisimus. Teste me ipso apud Messanam, IX^j die Februarii.^k The variations are:—

^a Dei Gratia rex Angliae, dux Normanniae et Aquitaniae, et comes Andegaviae.

^b caro et fideli suo Willelmo Marescallo.

^c Omits, et aliis baronibus in eadem forma.

^d plene.

^e Adds, sicut et ad cancellarium nostrum et Willelmum Briware et Hugonem Bardulf, et Galfridum filium Petri, quibus negotia regni nostri commisimus tractanda: instead of, ut ipsius consilio adquiescas et cancellarii nostri et Hugo Bardulfi et Galfridus Filius Petri et Willelmus Briwerre quibus, etc.

^f praecipientes ut.

^g assensu et consilio.

^h Adds, nostri.

ⁱ Adds, fideleriter.

^j XX.

^k On the whole we seem to have here the same letter under different dates. It was easy to mistake XX for IX. The differences, in any case, do not make any significant change in the letter.

² In stating this, I am following the complete letter, given as above, rather than what may be an abridgement given by Ralph de Diceto; *op. cit.*, p. 91. This abridgement was addressed to William Marshall and the ‘colleagues’ of the Chancellor, and said simply that if the Chancellor did not ‘treat’ faithfully concerning the affairs of the kingdom, with their advice, they were to act in these matters *secundum despositionem vestram*. Stubbs (in Howden, III, 96, and Ralph de Diceto, p. 91) believed that this was an abridged version of the

It told the magnates that Richard was sending the Archbishop to England to 'treat' along with other members of the council concerning the affairs of state, and that therefore the magnates were not to act (presumably in these affairs) without the Archbishop. If Longchamp refused to 'treat' concerning these matters, with the Archbishop, the magnates and others, then the barons were to act according to the 'disposition' of the Archbishop.¹

The letter was very clear on one point. It was concerned with the *negotia regni*. The phrase was twice repeated. The Archbishop and other justiciars were not to dispose of this business ; they were only to treat (*tractare*) about it. That is exactly what we should expect, for the business concerned, or might concern, the magnates as well as the King. That is one reason why the letter was addressed to the barons. Its purpose seems to be reasonably clear. It was to tell the magnates that the Archbishop of Rouen had been made the key man in the new and effective 'king's council'. The magnates were, in future, to discuss the problems of the realm with this council, including the Archbishop. If Longchamp refused, then the magnates were to act on the advice of the Archbishop. The Archbishop replaced Longchamp as the centre and focus of the new government, though not as the sole controller of all the administration of the land. All things were now to be done *communiter*, as in the announcement of John and Walter to the prior and convent of Christchurch, discussed above.

The relationship between the letter and the attack on Longchamp becomes evident. Longchamp's assumption of supreme power in Richard's absence had not been without a certain justification. His case was good enough to convince the Pope entirely, and to enable him to retain the trust of the

full letter, offered by Ralph. This may well have been the case, though if it was Ralph (whether intentionally or not : Stubbs wavered on this point) certainly took great liberties with the original.

¹ Richard especially mentions actions in regard to castles and escheats, which suggests that he was thinking of the actions of the baronage. Giraldus Cambrensis even said that the King wrote in the same form " singulis justiciariis et quibusdam aliis comitibus, baronibus et fidelibus suis ", but this seems doubtful (*op. cit.*, IV, 401). Perhaps the Archbishop wrote, in the King's name.

King. But it was based on an ignoring of the current distinctions between the various aspects of government, and on an evasion of the limitations and conditions which had been expressed or implied regarding his position. The method of his assumption of power was the use of his own seal for all purposes, thus virtually destroying the whole settlement Richard had originally made. The King's letters rectifying this were complementary to each other. That of February 23, as we have seen, dealt with those actions of the Chancellor which affected the 'privy council' and the *negotia regis*. In the order of February 9, Richard dealt with the problem as it affected the *magnum concilium* and the *negotia regni*. The focus of the changes in both letters was the person of Walter of Coutances; but the changes involved far more than the promotion of the Archbishop to be the King's most trusted representative in England. They involved a re-statement of the principles and distinctions which lay behind the procedure of government in the King's absence; and, in the case of the letter of February 9, by implication at least, the assertion of an additional principle of 'universal' collective responsibility for acts affecting the commonalty, the importance of which, at that time and in the years to come, it would be very hard to over-stress.

It seems likely that Walter tried to put into operation both sets of instruction which he had received; which meant, in effect, that he tried to get Longchamp to co-operate with himself, with the justiciars, and with the magnates, on the basis of the letters he brought; and that only when this attempt failed did he proceed to organize an active opposition. It is clear that Richard, in his letter to William Marshall, besides dealing with the general problem of consultation between Longchamp and the magnates, called in the *universitas regni* to solve an urgent crisis which had, in his absence, got largely out of control. When the magnates later supported the Archbishop of Rouen against Longchamp, there was nothing whatever unconstitutional in their action. Circumstances and Richard had combined to give them an unprecedented and decisive role. That is what Stubbs overlooked.

This letter of 9th (or 20th) February from Richard was, in

fact, the basis of the whole conference at which opposition to Longchamp was organized, on October 5, at the bridge over the Lodden. John, not the Archbishop, was the moving figure, and the conference apparently arose out of the attack by Richenda, Longchamp's sister, on John's half brother, the Archbishop of York. John summoned a conference against Longchamp, at Marlborough; and he was joined by all the members of the council of regency except the Chancellor.¹ It was John who summoned the community of England to the Lodden on October 5.² Yet behind John we can, with almost absolute certainty, see the Archbishop of Rouen and the mandate of Richard dated February 9. Whether the Archbishop did not, as Stubbs believed, find it opportune to present this letter when he arrived in England³; or whether, as Benedict of Peterborough and Roger of Howden say,⁴ he did not dare; or whether, as suggested above, he presented it in vain;⁵ the fact remains that Longchamp clung to his position, though he certainly knew Richard's motives in sending the Archbishop home.⁶ It may well be that, in this case, Walter of Coutances waited his time before he publicly disclosed the contents and used the authorization of the letter of February 9.⁷

¹ Giraldus Cambrensis, IV, 396. At the head of the 'councillors' was William Marshall; also named were the Bishops of Winchester and Bath. Whether or not William really was a member of the council, it is impossible to say. Probably not. In any case, Longchamp had refused to accept Richard's new arrangement for the council, already discussed above, so William could not have acted.

² Ralph Diceto, II, 98.

³ Preface to Howden, p. lxi.

⁴ *Gesta*, p. 158; *Chronica*, III, 97.

⁵ William of Newburgh says that Longchamp refused outright to accept Richard's command, saying that he knew the King's mind better; *Chronicles of Stephen*, I, 337. Roger of Howden believed that 'the Chancellor scorned all the mandates of the king'. Gerald of Wales was quite certain that Longchamp rejected the King's orders: "adeo una cum regio mandato utroque sigillo, tam majore scilicet quam minore munito comtempsit" (*op. cit.*, IV, 426). On the whole it seems likely that Longchamp did formally receive one of the King's letters, but would not accept the Archbishop's terms.

⁶ See note above, p. 503.

⁷ Richard of Devizes (III, 406) and Gerald of Wales (IV, 401) both imply that Walter, probably in co-operation with John, deliberately organized the opposition of the magnates. This is, perhaps, not unlikely, and would be another explanation of Walter's delay in bringing matters to a head. John certainly got his reward: he was made *rector totius regni* (Richard of Devizes, III, 415).

The time came with Richenda's attack on the Archbishop of York. Fortified by the support of the councillors on the one hand, and William Marshall, representing the barons on the other, John was able to summon all the *communitas Angliae* to Lodden¹ in the terms of a royal assembly, "tractaturi de quibusdam magnis et arduis negotiis domini regis et regni"—almost word for word the formula for summoning a parliament in the later age of Edward I.² Not only that, but in spite of Stubbs' uncertainty on the point, the Archbishop of Rouen gave a final validity to the assembly and provided the constitutional justification for the form of John's summons, by reading publicly the mandate, empowering such a procedure, from the king.³ The Archbishop called on the *communitas Angliae* at the Lodden to act against Longchamp, exactly as he had been authorized to do in his letter; and it is probable that he again used the letter at the still more general assembly at St. Paul's, including the commune of London, newly sworn.⁴

The *communitas* which Richard had thus called into activity not only solved for him the problem of Longchamp, but also, as he probably had anticipated, solved the problem of John. It dominated the public life of England in the next few years, in a way which has never been fully worked out.⁵ It probably

¹ Ralph Diceto, II, 98.

² This fact was also noted by Palgrave, *op. cit.*, p. lvii.

³ Stubbs' doubts are given in Howden, III, lxxv, lxxix. He bases his conclusion on the version of Benedict of Peterborough (II, 213) who says that at St. Paul's: "tunc primum ostenderunt coram populo litteras regis", etc. But Benedict has barely mentioned the events at the Bridge of Lodden. Giraldus Cambrensis (IV, 399, 400) on the other hand, describes them in detail. He tells how the Archbishop urged the assembly at Lodden to depose Longchamp from his position, and he clearly narrates how the Archbishop read out the letter authorizing this, given him by Richard, which letter Giraldus gives at length—"Litteras quoque domini regis, quarum autoritate hoc preecepit, coram cunctis ostendit et legi fecit, in haec verba". There seems to be no good reason why Giraldus, so well informed about all these events, should be disbelieved. Perhaps when Benedict said "tunc primum ostendit coram populo", he was thinking of the citizens of London, gathered at St. Paul's. Stubbs was here following Palgrave, *op. cit.*, p. lviii.

⁴ Giraldus Cambrensis, IV, 405. It is well worth placing on record again that he was condemned at this meeting by both magnates and citizens—*ab urbis civibus regnique proceribus*. Also in Benedict of Peterborough, II, 213.

⁵ Stubbs, in C.H., I, 538, talked as if the Queen-mother maintained the peace of the kingdom between Longchamp's deposition from office and the

elected the Archbishop to take Longchamp's place, in accordance with the King's instructions.¹ It (minus the citizens) recognized the commune of London.² It swore fealty to Richard, but accepted John as his heir if Richard died without son.³ It wrote to the King, "in communi scripto", telling of the steps which had been taken against Longchamp.⁴ From this time on, until Richard's return, the important decisions were taken by the Archbishop in conjunction with the *communitas regni*. When Longchamp tried to return, Walter summoned a *magnum concilium* of all the leading men.⁵ When the Queen-mother tried to make peace between Longchamp and Walter in 1292, the magnates were again on the side of Walter.⁶ John was dissuaded from going to France to join Philip Augustus in 1292, in assemblies of all the great men of the realm, at Windsor, Oxford, London and Winchester.⁷ The Queen, Walter and the lay magnates played a part in the election of a new Archbishop of Canterbury in May, 1293.⁸ The first thing which Walter did, when he heard definitely of the captivity of Richard I, in 1193, was to summon a council, probably a *magnum concilium* at Oxford.⁹ The council of *justiciarii* and the magnates refused John's request for the kingdom.¹⁰ When John supported Philip Augustus in his attack, the *optimates regni* collected a great army and captured Windsor from him.¹¹ The decision to attack him was made in a great council of prelates, earls and barons, where, per *commune consilium regni*, it was decreed (*definitum*) that he should be dispossessed of all his lands.¹² Few were at hand to

news of Richard's captivity in 1193. F. M. Powicke again indicates the true situation in *C.M.H.*, VI, 212.

¹ He was appointed "communi omnium assensu et electione"; Gerald of Wales, p. 408. Benedict makes the same body elect Walter which had deposed William (*Gesta*, II, 213). ² *Ibid.* ³ *Ibid.*

⁴ Howden, III, 155. Longchamp, they said, had been exiled "per commune concilium".

⁵ Gerald of Wales, IV, 414; William of Newburgh, III, 345. For a different account, see Richard of Devizes, III, 433.

⁶ Benedict of Peterborough, II, 239.

⁷ Richard of Devizes, III, 432.

⁸ Ralph Diceto, II, 108.

⁹ Roger of Howden, III, 197.

¹⁰ *Ibid.*, III, 204.

¹¹ William of Newburgh, III, 391; "omnes principes regni", in Howden, III, 206.

¹² Roger of Howden, III, 236.

greet Richard on his return from captivity because most of them were away besieging John's castles ;¹ they had already captured Marlborough and were besieging Nottingham and Tickhill. Richard, in captivity, had to appeal to all the *universitas regni*, the bishops, barons, clergy and free tenants to raise his ransom.² There can be little doubt that the details of the excessive taxation necessary for raising the ransom were settled in a general assembly. Ralph Diceto gives the details, which he says were agreed by common consent.³

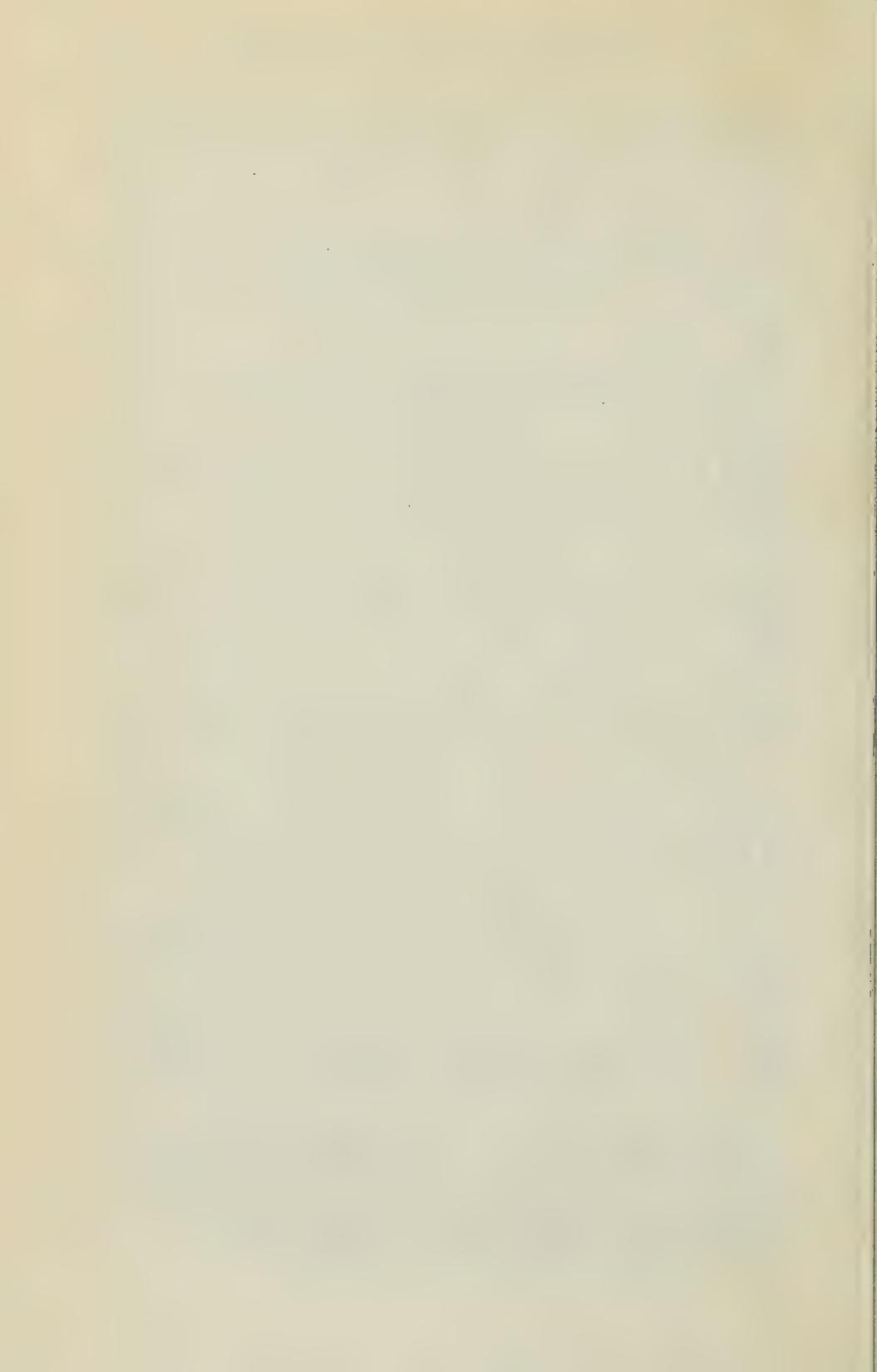
It would be difficult to exaggerate the importance of these momentous decisions, taken by a *communitas regni* which was forced to assume the responsibility for the government of England in the absence of the King. It is true that Walter of Coutances was formally responsible. In a remarkable letter written from captivity, Richard told him that he must even use his discretion as to which of the royal commands he obeyed. But there cannot be the slightest doubt that, both from set policy and from the nature of the situation, Walter depended directly on the *universitas* assembled in *magna concilia*. The magnates of England were receiving, in these exceptional times, a final training in their own collective action and in the acceptance, and the assertion, of a clear and collective responsibility for a share in the government of the land. They were preparing to play their part in the *magna concilia* and *parliamenta* of Henry III, just at the time when the disintegration of the Angevin Curia Regis was causing these assemblies (or their prototypes) to stand out, marked by their essential and peculiar characteristics, as the vehicle and expression of the universal medieval political principle of government by counsel and consent ; government in England, more specifically, through *tractatus* between the King and the *universitas regni* concerning the *negotia regis et regni* ; the matters of interest and importance, that is, common to both.

¹ William of Newburgh, III, 406. For the details see Howden, III, 237.

² Roger of Howden, III, 208. A letter which Roger of Howden quotes is addressed to Eleanor, to the justiciars, and to all his faithful of England. The inclusion of free tenants in this appeal is a minor landmark.

³ *Op. cit.*, II, 110 : "statutum est assensu communi persolvere".

⁴ *Ibid.*, p. 111.



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